FEDERAL REGISTER

VOLUME 12 NUMBER 43

Washington, Saturday, March 1, 1947

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit Corporation)

[Cotton Form 1, Amdt. 1 to 1946 C. C. C.]

PART 256—COTTON LOANS

CHANGES IN AREAS SERVED BY FEDERAL RESERVE BANKS

Section 256.113, *Federal Reserve Banks* (11 F. R. 10751) is amended effective November 1, 1946, as follows:

1. The Federal Reserve Bank of Atlanta, Georgia, will serve the state of Alabama.

2. The Memphis Branch, Federal Reserve Bank of St. Louis, Missouri, will serve all counties in the state of Arkansas.

This amendment releases the Birmingham Branch, Federal Reserve Bank of Atlanta, and the Little Rock Branch, Federal Reserve Bank of St. Louis from responsibility for handling transactions under the 1946 cotton loan program. Documents relating to Alabama loans will henceforth be handled by the Federal Reserve Bank of Atlanta, and those relating to the counties in Arkansas originally assigned to Little Rock will be handled by the Memphis Branch, Federal Reserve Bank of St. Louis.

(Par. (b), Article Third of Charter, Commodity Credit Corporation; sec. 7 (a) 49 Stat. 4, as amended, sec. 302, 52 Stat. 43, sec. 4 (a) 55 Stat. 498, 56 Stat. 768, sec. 8, 56 Stat. 767, 58 Stat. 643; 15 U. S. C., Sup. 713 (a) 713a-8, 7 U. S. C. 1302, 50 U. S. C. App. Sup. 968)

Dated this 25th day of February 1947.

[SEAL] JESSE B. GILLIER, *President.*

[F. R. Doc. 47-1924; Filed, Feb. 28, 1947; 8:47 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

PART 26—GRAIN STANDARDS

OFFICIAL GRAIN STANDARDS OF THE UNITED STATES FOR OATS

By virtue of the authority vested in the Secretary of Agriculture by the United States Grain Standards Act, 1916, as amended (39 Stat. 482, 485, 54 Stat. 765; 7 U. S. C. 71 et seq.) official grain standards of the United States for oats and amendments thereto (7 CFR and Cum. Supp. 26.251) were promulgated and became effective after the required public notice had been given.

Notice of a proposed amendment to be effective not later than July 1, 1947, if promulgated, was published in the FEDERAL REGISTER on January 22, 1947 (12 F. R. 446). The notice stated that the proposed amendment is to provide a better description on certificates for oats by establishing an additional special grade to be known as "Medium Heavy" oats. The notice also stated that hearings would be held at Minneapolis, Omaha and Chicago at specified places and specified times to provide interested persons an opportunity to present their views and opinions orally with respect to the desirability of the promulgation of the proposed amendment. In addition, the notice stated that written views, data or arguments of interested persons might be submitted to the Director, Grain Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., to be received by him not later than February 20, 1947.

The hearings were held at the times and places specified in the notice and material submitted in writing was received. Information secured at the hearings and written data submitted together with other information available in the United States Department of Agriculture have been considered and it has been determined that an amendment should be promulgated.

Therefore, effective June 1, 1947, the official grain standards of the United States for oats are amended by inserting a new section to read as follows:

§ 26.253a *Special grade; medium heavy oats*—(a) *Definition.* Medium heavy oats shall be oats of any class of grades Nos. 3, 4, and Sample grade which have a test weight per bushel of 30 pounds or more but less than 35 pounds.

(b) *Grades.* Medium heavy oats shall be graded and designated according to the grade requirements of the standards otherwise applicable and there shall be added to, and made a part of, the grade

(Continued on p. 1433)

CONTENTS

FEDERAL REGISTER

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CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

[1] P. L. O. 354.

CODIFICATION GUIDE—Con.

designation, preceding the name of the class, the words "Medium Heavy."

(39 Stat. 482, 485, 54 Stat. 765; 7 U. S. C. 71 et seq.)

Issued this 25th day of February 1947.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 47-1915; Filed, Feb. 28, 1947; 8:47 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Tangerine Reg. 64]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.334 *Tangerine Regulation 64*—(a) *Findings.* (1) Pursuant to the amended marketing agreement and the order, as amended (7 CFR, Cum. Supp., 933.1 et seq., 11 F. R. 9471), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., March 3, 1947, and ending at 12:01 a. m., e. s. t., July 31, 1947, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, which grade U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the U. S. Standards for Tangerines, issued by the United States Department of Agriculture, effective September 29, 1941, as amended), or

(ii) Any tangerines, grown in the State of Florida, which are of a size smaller than the size that will pack 294 tangerines, packed in accordance with the requirements of a standard pack (as such pack in the aforesaid U. S. Standards), in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches; capacity 1,726 cubic inches)

(2) As used in this section "handler" and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 27th day of February 1947.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 47-1916; Filed, Feb. 28, 1947; 8:46 a. m.]

[Grapefruit Reg. 83]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.333 *Grapefruit Regulation 83*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and the order, as amended (7 CFR, Cum. Supp., 933.1 et seq., 11 F. R. 9471), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., March 3, 1947, and ending at 12:01 a. m., e. s. t., March 10, 1947, no handler shall ship:

(i) Any grapefruit of any variety, grown in the State of Florida, which grade U. S. No. 3, or lower than U. S. No. 3 grade (as such grades are defined in the United States standards for citrus fruits, as amended (11 F. R. 13239; 12 F. R. 1)),

(ii) Any seeded grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards) in a standard box (as such box is defined in the standards for containers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of Chapter 20449, Laws of Florida, Acts of 1941 (Florida Laws Annotated § 595.09)),

(iii) Any seedless grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit), or

(iv) Any pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 126 grapefruit, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit).

(2) As used in this section "variety," "handler," and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 27th day of February 1947.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 47-1945; Filed, Feb. 28, 1947; 8:47 a. m.]

[Lemon Reg. 211]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.318 *Lemon Regulation 211*—(a) *Findings.* (1) Pursuant to the marketing agreement and the order (7 CFR, Cum. Supp., 953.1 et seq.), regulating the handling of lemons grown in the State of California or in the State of Arizona, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m. P. s. t., March 2, 1947, and

ending at 12:01 a. m., P. s. t., March 9, 1947, is hereby fixed at 300 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Lemon Administrative Committee, in accordance with the provisions of the said marketing agreement and order, shall calculate the quantity of lemons which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such word in the said marketing agreement and order. (48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 27th day of February 1947.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[Storage Date: Feb. 23, 1947. Regulation 211. 12:01 a. m. Mar. 2, 1947, to 12:01 a. m. Mar. 16, 1947]

Handler	Prorate base (percent)
Total	100.000
Allen-Young Citrus Packing Co.	.000
American Fruit Growers, Fullerton	.865
American Fruit Growers, Lindsay	.000
American Fruit Growers, Upland	.371
Consolidated Citrus Growers	.000
Corona Plantation Co.	.260
Hazeltine Packing Co.	.975
Leppla-Pratt, Produce Distributors Inc.	.000
McKellips, C. H.-Phoenix Citrus Co.	.000
McKellips Mutual Citrus Growers, Inc	.000
Phoenix Citrus Packing Co.	.000
Ventura Coastal Lemon Co.	1.369
Ventura Pacific Co.	1.519
Total A. F. G.	5.359
Arizona Citrus Growers	.000
Desert Citrus Growers Co., Inc.	.000
Mesa Citrus Growers	.000
Elderwood Citrus Association	.037
Klink Citrus Association	.808
Lemon Cove Association	.722
Glendora Lemon Growers Association	1.351
La Verne Lemon Association	.839
La Habra Citrus Association	1.750
Yorba Linda Citrus Association, The	.849
Alta Loma Heights Citrus Association	.895
Etiwanda Citrus Fruit Association	495
Mountain View Fruit Association	.693
Old Baldy Citrus Association	1.338
Upland Lemon Growers Association	3.985
Central Lemon Association	1.372
Irvine Citrus Association	1.690
Placentia Mutual Orange Association	.596
Corona Citrus Association	.281
Corona Foothill Lemon Co.	1.222
Jameson Company	.479
Arlington Heights Fruit Co.	400
College Heights Orange & Lemon Association	2.043
Chula Vista Citrus Association, The	1.039

PRORATE BASE SCHEDULE—Continued

Handler	Prorate base (percent)
El Cajon Valley Citrus Association	0.441
Escondido Lemon Association	4.650
Fallbrook Citrus Association	2.507
Lemon Grove Citrus Association	455
San Dimas Lemon Association	2.309
Carpinteria Lemon Association	2.044
Carpinteria Mutual Citrus Association	2.417
Goleta Lemon Association	2.811
Johnston Fruit Co.	5.805
North Whittier Heights Citrus Association	1.439
San Fernando Heights Lemon Association	2.550
San Fernando Lemon Association	1.647
Sierra Madre-Lamanda Citrus Association	1.672
Tulare County Lemon & Grapefruit Association	1.185
Briggs Lemon Association	.687
Culbertson Investment Co.	639
Culbertson Lemon Association	.906
Fillmore Lemon Association	1.533
Oxnard Citrus Association No. 1	2.695
Oxnard Citrus Association No. 2	3.075
Rancho Sespe	731
Santa Paula Citrus Fruit Association	2.500
Saticoy Lemon Association	3.373
Seaboard Lemon Association	4.597
Somi's Lemon Association	2.313
Ventura Citrus Association	1.164
Limoneira Co.	1.317
Teague-McKevett Association	440
East Whittier Citrus Association	1.103
Leffingwell Rancho Lemon Association	.543
Murphy Ranch Co.	1.059
Whittier Citrus Association	1.023
Whittier Select Citrus Association	782
Total C. F. G. E.	85.346
Arizona Citrus Products Co.	.000
Chula Vista Mutual Lemon Association	1.401
Escondido Co-Op. Citrus Association	730
Glendora Co-Op. Citrus Association	.179
Index Mutual Association	.533
La Verne Co-Op. Citrus Association	1.517
Libbey Fruit Packing Co.	.006
Orange Co-Op. Citrus Association	408
Pioneer Fruit Co.	.042
Tempe Citrus Co.	.000
Ventura Co. Orange and Lemon Association	2.284
Whittier Mutual Orange and Lemon Association	.312
Total M. O. D.	7.412
Abbate, Chas. Co., The	.000
Atlas Citrus Packing Co.	.033
California Citrus Groves, Inc., Ltd.	.000
El Modena Citrus, Inc.	.000
Evans Bros. Packing Co., Riverside	.172
Sentinel Butte Ranch	.057
Foothill Packing Co.	.240
Granada Packing House	.000
Harding & Leggett	.147
Orange Belt Fruit Distributors	.912
Potato House, The	.000
Raymond Bros.	.000
Rooke, B. G., Packing Co.	.003
San Antonio Orchard Co.	.114
Sun Valley Packing Co.	.000
Sunny Hills Ranch, Inc.	.000
Valley Citrus Packing Co.	.000
Verity, R. H., Sons & Co.	.205
Western States Fruit & Produce Co.	.000
Total Independents	1.883

[F. R. Doc. 47-1968; Filed, Feb. 28, 1947; 8:50 a. m.]

[Orange Reg. 112]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATIONS OF SHIPMENTS

§ 933.335 *Orange Regulation 112*—(a) *Findings.* (1) Pursuant to the amended marketing agreement and the order, as amended (7 CFR, Cum. Supp., 933.1 et seq., 11 F. R. 9471) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., March 3, 1947, and ending at 12:01 a. m., e. s. t., March 10, 1947, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida, which grade U. S. No. 2, as such grade is defined in the United States standards for citrus fruits, as amended (11 F. R. 13239; 12 F. R. 1) if more than one-half of the surface in the aggregate is affected with discoloration;

(ii) Any container of oranges, except Temple oranges, grown in the State of Florida, which grade U. S. Combination Grade (as such grade is defined in the aforesaid amended United States standards) unless at least sixty-five percent (65%), by count, of the total quantity of oranges in such container meet the requirements of U. S. No. 1 grade (as such grade is defined in the aforesaid amended United States standards) and each of the remainder of the oranges meets all other requirements of the aforesaid U. S. Combination Grade;

(iii) Any oranges, except Temple oranges, grown in the State of Florida, which grade U. S. Combination Russet, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade, as such grades are defined in the aforesaid amended United States standards;

(iv) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than a size that will pack 288 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards), in a standard box (as such box is defined in the standards for con-

tainers for citrus fruit established by the Florida Citrus Commission pursuant to section 3 of Chapter 20449, Laws of Florida, Acts of 1941 (Florida Laws Annotated § 595.09)),

(v) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size larger than a size that will pack 126 oranges, packed in accordance with the requirements of a standard pack (as such pack is defined in the aforesaid amended United States standards) in a standard box (as such box is defined in the aforesaid standards for containers for citrus fruit), or

(vi) Any Temple oranges, grown in the State of Florida, which grade U. S. No. 3 or lower than U. S. No. 3, as such grades are defined in the aforesaid amended United States standards.

(2) As used in this section, "handler" and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order. (48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 27th day of February 1947.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 47-1947; Filed, Feb. 28, 1947; 8:46 a. m.]

[Grapefruit Reg. 43]

PART 955—GRAPEFRUIT GROWN IN ARIZONA; IMPERIAL COUNTY, CALIFORNIA; AND THAT PART OF RIVERSIDE COUNTY, CALIFORNIA, SITUATED SOUTH AND EAST OF SAN GORGONIO PASS

LIMITATION OF SHIPMENTS

§ 955.304 *Grapefruit Regulation 43*—(a) *Findings.* (1) Pursuant to the marketing agreement and the order (7 CFR, Cum. Supp., 955.1 et seq.) regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation of the Administrative Committee established under the said marketing agreement and the said order, and upon other available information, it is hereby found that the limitation of shipments of such grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., March 2, 1947, and ending at 12:01 a. m., P. s. t., March 30, 1947, no handler shall ship:

(i) Any grapefruit grown in the State of Arizona; in Imperial County, California; or in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, which grade lower than U. S. No. 2 grade, as such grades are defined in the U. S. Standards for California and Arizona Grapefruit, issued by the United States Department of Agriculture, effective March 15, 1941; or

(ii) From the State of California or the State of Arizona to any point outside thereof in the United States, any such grapefruit (*a*) which are of a size smaller than $3\frac{11}{16}$ inches in diameter, or (*b*) which are of a size larger than $4\frac{14}{16}$ inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), except that a tolerance of 5 percent, by count, of grapefruit smaller than such minimum size shall be permitted, and a tolerance of 5 percent, by count, of grapefruit larger than such maximum size shall be permitted, which tolerances shall be applied in accordance with the provisions for the application of tolerances, specified in the said U. S. Standards for California and Arizona Grapefruit: *Provided,* That in determining the percentage of grapefruit in any lot which are smaller than $3\frac{11}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size $4\frac{2}{16}$ inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are larger than $4\frac{14}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size $4\frac{8}{16}$ inches in diameter and larger; or

(iii) From the State of California or the State of Arizona to any point outside thereof in Canada, any such grapefruit (*a*) which are of a size smaller than $3\frac{9}{16}$ inches in diameter, or (*b*) which are of a size larger than $4\frac{14}{16}$ inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), except that a tolerance of 5 percent, by count, of grapefruit smaller than such minimum size shall be permitted, and a tolerance of 5 percent, by count, of grapefruit larger than such maximum size shall be permitted, which tolerances shall be applied in accordance with the provisions for the application of tolerances, specified in the said U. S. Standards for California and Arizona Grapefruit: *Provided,* That in determining the percentage of grapefruit in any lot which are smaller than $3\frac{9}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size $3\frac{13}{16}$ inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are larger than $4\frac{14}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size $4\frac{8}{16}$ inches in diameter and larger.

(2) As used in this section, "handler" and "ship" shall have the same meaning as is given to each such term in said marketing agreement and order. (48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 27th day of February 1947.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 47-1948; Filed, Feb. 28, 1947; 8:46 a. m.]

[Orange Reg. 167]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.313 *Orange Regulation 167*—(a) *Findings.* (1) Pursuant to the provisions of the order (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess., 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., March 2, 1947, and ending at 12:01 a. m., P. s. t., March 9, 1947, is hereby fixed as follows:

(i) *Valencia oranges.* Prorate Districts Nos. 1, 2, and 3, no movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1, unlimited movement; (*b*) Prorate District No. 2, 1150 carloads; and (*c*) Prorate District No. 3, unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Orange Administrative Committee, in accordance with the provisions of the said order, shall calculate the quantity of oranges which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(4) As used herein, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F R. 10258) issued pursuant to said order. (48 Stat. 31, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 27th day of February 1947.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch Production and Marketing Administration.

PRORATE BASE SCHEDULE

[Orange Regulation No. 167. 12:01 a. m. Mar. 2, 1947, to 12:01 a. m. Mar. 9, 1947]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.3456
A. F. G. Fullerton	.0476
A. F. G. Orange	.0629
A. F. G. Redlands	.3521
A. F. G. Riverside	.8490
Corona Plantation Co	.9955
Hazeltine Packing Co	.1059
Signal Fruit Association	7684
Azusa Citrus Association	1.0325
Azusa Orange Co., Inc	.1699
Damerel-Allison Co	1.2123
Glendora Mutual Orange Association	.5488
Irwindale Citrus Association	.3556
Puente Mutual Citrus Association	.0485
Valencia Heights Orchards Association	.2292
Glendora Citrus Association	.8063
Glendora Heights O. & L. Growers Association	.2076
Gold Buckle Association	3.4318
La Verne Orange Association, The	3.3426
Anaheim Citrus Fruit Association	.0626
Anaheim Valencia Orange Association	.0170
Eadington Fruit Co., Inc	.3136
Fullerton Mutual Orange Association	.2671
La Habra Citrus Association	.1494
Orange Co., Valencia Association	.0261
Orangethorpe Citrus Association	.0237
Placentia Coop. Orange Association	.0567
Yorba Linda Citrus Association, The	.0269
Alta Loma Heights Citrus Association	.3921
Citrus Fruit Growers	7398
Cucamonga Citrus Association	.6297
Etiwanda Citrus Fruit Association	.2241
Mountain View Fruit Association	.1612
Old Baldy Citrus Association	4394
Rialto Heights Orange Growers	4494
Upland Citrus Association	2.2679
Upland Heights Orange Association	.9864
Consolidated Orange Growers	.0312
Garden Grove Citrus Association	.0215
Goldenwest Citrus Association, The	.0915
Olive Heights Citrus Association	.0427
Santa Ana-Tustin Mutual Citrus Association	.0286
Santiago Orange Growers Association	.1654
Tustin Hills Citrus Association	.0334
Villa Park Orchards Association, Inc., The	.0388
Bradford Brothers, Inc	.2331
Placentia Mutual Orange Association	0.1726
Placentia Orange Growers Association	.2970
Call Ranch	.6124
Corona Citrus Association	7772
Jameson Co	.3549
Orange Heights Orange Association	.8946
Break & Son, Allen	.2802
Bryn Mawr Fruit Growers Association	1.0837
Crafton Orange Growers Association	1.3832
E. Highlands Citrus Association	4215
Fontana Citrus Association	.4416
Highland Fruit Growers Association	.6800
Krinard Packing Co	1.6360
Mission Citrus Association	7955
Redlands Coop. Fruit Association	1.7551
Redlands Heights Groves	.9281
Redlands Orange Growers Association	1.1862
Redlands Orangedale Association	.9738
Redlands Select Groves	.5517
Rialto Citrus Association	.5665
Rialto Orange Co	.3708
Southern Citrus Association	.9917
United Citrus Growers	7542
Zilen Citrus Co	1.0429
Arlington Heights Fruit Co	4223
Brown Estate, L. V. W	1.7796
Gavilan Citrus Association	1.6952
Hemet Mutual Groves	.3391
Highgrove Fruit Association	6879
McDermont Fruit Co	1.7559
Mentone Heights Association	7869
Monte Vista Citrus Association	1.1485
National Orange Co	.8572
Riverside Heights Orange Growers Association	1.2757
Sierra Vista Packing Association	6976
Victoria Ave. Citrus Association	2.3387
Claremont Citrus Association	.9957
College Heights O. & L. Association	1.0356
El Camino Citrus Association	.5303
Indian Hill Citrus Association	1.1455
Pomona Fruit Growers Association	2.1036
Walnut Fruit Growers Association	.4791
West Ontario Citrus Association	1.5654
El Cajon Valley Citrus Association	.3765
Escondido Orange Association	.5571
San Dimas Orange Growers Association	1.0662
Covina Citrus Association	1.4285
Covina Orange Growers Association	.5029
Duarte-Monrovia Fruit Exchange	.4516
Ball & Tweedy Association	.1136
Canoga Citrus Association	.0692
N. Whittier Heights Citrus Association	.1152
San Fernando Fruit Growers Association	.3066
San Fernando Heights Orange Association	.3382
Sierra Madre Lamanda Citrus Association	.2445
Camarillo Citrus Association	.0097
Fillmore Citrus Association	1.3705
Ojai Orange Association	1.0038
Piru Citrus Association	1.1500
Santa Paula Orange Association	.1135
Tapo Citrus Association	.0110
East Whittier Citrus Association	.0167
Whittier Citrus Association	.3131
Whittier Select Citrus Association	.0601
Anaheim Coop. Orange Association	.0562
Bryn Mawr Mutual Orange Association	.4865
Chula Vista Mutual Lemon Association	.1468
Escondido Coop. Citrus Association	0.1013
Euclid Avenue Orange Association	2.1128
Foothill Citrus Union, Inc	.1536
Fullerton Coop. Orange Association	0536
Garden Grove Orange Coop	.0386
Glendora Coop. Citrus Association	.0991
Golden Orange Groves, Inc	.4113
Highland Mutual Groves, Inc	4204
Index Mutual Association	.0000
La Verne Coop. Citrus Association	2.4546
Olive Hillside Groves, Incorporated	.0000
Orange Coop. Citrus Association	0496
Redlands Foothill Groves	2.1581
Redlands Mutual Orange Association	1.0153
Riverside Citrus Association	.3795
Ventura County O. & L. Association	.2165
Whittier Mutual O. & L. Association	.0491
Babijuice Corp. of California	.3566
Banks Fruit Co	.2567
California Fruit Distributors	.0572
Cherokee Citrus Co., Inc	1.0131
Chess Co., Meyer W	.3536
Evans Brothers Packing Co	7330
Gold Banner Association	1.9196
Granada Hills Packing Co	.0228
Granada Packing House	.0510
Hill, Fred A	7151
Inland Fruit Dealers, Inc	.2187
Orange Belt Fruit Distributors	2.4456
Panno Fruit Co., Carlo	.1168
Paramount Citrus Association	.2563
Riverside Growers, Inc	.4018
San Antonio Orchards Association	1.2912
Snyder & Sons Co., W. A	7759
Torn Ranch	.0485
Verity & Sons Co., R. H	.1234
Wall, E. T	1.5912
Western Fruit Growers, Inc., Redlands	2.8828
Yorba Orange Growers Association	.0337

[F. R. Doc. 47-1969; Filed, Feb. 28, 1947; 8:50 a. m.]

TITLE 10—ARMY WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 306—CLAIMS AGAINST THE UNITED STATES

CONSIDERATION, ADJUSTMENT AND SETTLEMENT OF CLAIMS FOR RELIEF BY CONTRACTORS AGAINST WAR DEPARTMENT

Pursuant to the authority vested in the Secretary of War by the act of August 7, 1946, Public Law 657, 79th Congress (hereinafter referred to as the "Act") and Executive Order No. 9786 dated October 5, 1946 (hereinafter referred to as the "Executive order"), the following regulations set forth in § 306.85 are hereby prescribed to govern the consideration, adjustment and settlement of claims for relief by contractors against the War Department under the provisions of the act and the Executive order.

§ 306.85 *Claims for relief by contractors.* (a) There is hereby constituted in the Office of the Under Secretary of War a board to be known as "War Contract Hardship Claims Board" (hereinafter referred to as the "board"), to consider, adjust, and settle equitable claims of

contractors, including subcontractors and materialmen performing work or furnishing supplies or services to the contractor or another subcontractor, for losses (not including diminution of anticipated profits) incurred between September 16, 1940, and August 14, 1945, without fault or negligence on their part in the performance of such contracts or subcontracts. The board shall consist of five members, one of whom shall be designated as president of the board. There will also be a recorder. The Under Secretary of War shall recommend appointees for membership on the board and for recorder and shall nominate the president of the board. Appointments will be made by the Secretary of War. Upon request of the Under Secretary of War, The Judge Advocate General is authorized to assign to the board one or more judge advocates as trial attorneys or examiners, and if and when deemed necessary by the Under Secretary of War and upon his request, The Judge Advocate General also may assign an officer or civilian attorney as general counsel.

(b) The board created by paragraph (a) of this section is hereby designated the central authority within the War Department to consider, adjust, and settle all claims of contractors under the act and the Executive order; to make or approve the settlement of any such claim in each case in which the War Department is the war agency considering the claim; to grant in whole or in part, or to withhold, for the War Department approval of that part of any proposed settlement by any other agency considering the claim, which relates to contracts or subcontracts of the War Department and to make any and all determinations and findings for the War Department required by the act and the Executive order with respect to each claim. Except for any reconsideration which the board may in its discretion grant, any approval, finding, determination or settlement by the board shall be final, subject only to the provisions of section 6 of the act. The board shall have all powers necessary and incident to the proper performance of its duties as set forth in this section and shall adopt its own methods of procedure and rules and regulations for its conduct.

(c) Claims under the act and the Executive order filed with the War Department will be examined, reviewed and verified by the technical service, which includes for the purpose of this regulation the Army Air Forces, under whose contracts or subcontracts the loss is claimed. When a claim is made with respect to contracts or subcontracts of more than one technical service the claim shall be examined, reviewed and verified by the technical service under whose contracts and subcontracts the largest claim for loss is made. In the event a claim is filed with other than the chief of a technical service or the chief of the technical service with which the claim is filed determines that another technical service has a primary interest in the consideration thereof the claim will be forwarded immediately to the president of the board for appropriate assignment. The receiving office in transmitting the claim to the board will transmit also any information in its possession bearing upon the claim. In the event the chief of the technical service which is examining, reviewing and verifying a claim determines that the claim also is of interest to another war agency a copy of the claim will be transmitted to the board, with a statement of the reason for such transmission, for appropriate referral and coordination.

(d) Upon receipt of a claim the technical service will transmit a copy of the claim to the Chief of Finance and request that the claim be transmitted to the General Accounting Office for verification of the list of contracts and subcontracts set forth therein as required by section 301 of the Executive order. The Chief of Finance will transmit such request for verification to the General Accounting Office. Upon receipt of information from the General Accounting Office, the Chief of Finance will advise the technical service concerned with respect to the information obtained from the General Accounting Office.

(e) In addition to such verification by the General Accounting Office as is required by section 301 of the Executive order, all claims under the act will be examined, reviewed and verified by the appropriate technical service or services to the extent that the chief of the technical service in his discretion determines necessary for an adequate consideration of the claim under the act and the Executive order. The chief of the technical service is authorized to arrange directly with the Chief of Finance for any necessary audit of claims. Request for audit will not be made by the chief of the technical service unless preliminary examination by him indicates that the claim appears to fall within the scope of the act and Executive order. Upon completion of such review and consideration as the chief of the technical service may deem adequate for the purposes of the act and the Executive order the chief of the technical service will transmit the original of the claim together with his recommendation as to the disposition thereof and a statement of the basis of such recommendation to the board. He also will designate one or more members of his legal staff as trial attorneys or examiners for processing the claim through his office and before the board. The board will consider the claim and the recommendation and statement by the chief of the interested technical service and approve such adjustment and settlement of the claim as it determines appropriate under the act and the Executive order. The board may direct such further action by the technical service as it deems necessary to the final disposition of the claim.

(f) When the board approves the settlement of a claim, in whole or in part, it will notify the interested technical service of its decision and the technical service will request the Chief of Finance to advise the General Accounting Office of the proposed settlement as approved and request that it be notified of any claims against the claimant. The Chief of Finance will transmit such advice as to the proposed settlement and request for information as to claims to the General Accounting Office. Upon receipt of advice from the General Accounting Office with respect to information available in that office concerning indebtedness the Chief of Finance will notify the technical service of any such indebtedness reported by the General Accounting Office and of any other indebtedness shown by War Department records. If any discrepancies appear between the records of the General Accounting Office and the War Department records as to the verification of contracts and subcontracts, or any indebtedness of the claimant, the technical service will advise the Chief of Finance thereof, who will communicate with the General Accounting Office with respect thereto advising the technical service concerned as to the results thereof. In the case of denial of a claim the board will notify the claimant and the interested technical service of its decision immediately.

(g) Approved claims which involve indebtedness reported by the General Accounting Office, or any other indebtedness shown on the records of the War Department, will be made the subject of an appropriate communication to the Chief of Finance prepared by the technical service concerned, together with a full report of all such indebtedness, which will be transmitted by the Chief of Finance to the General Accounting Office for necessary set-off or other appropriate action. When Certificate of Settlement on such claims, issued by the General Accounting Office and requiring payment, is received in the Office of the Chief of Finance, it will be forwarded to the Finance Officer, United States Army, Washington, D. C., for payment in the usual way. Approved claims which do not involve set-off by the General Accounting Office on account of indebtedness will be vouchered on Standard Form 1034 prepared by the technical service concerned and certified by a duly authorized certifying officer of such service, supporting same with the original of the approved award of the board and of the settlement agreement and release. Said voucher, supported as indicated above, will be forwarded through the Chief of Finance to the Finance Officer, United States Army, Washington, D. C., for payment. [WD Memo. 734–50–1, Feb. 7, 1947] (Pub. Law 657, 79th Cong., 60 Stat. 902; E. O. 9786, Oct. 5, 1946, 11 F. R. 11553)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 47–1823; Filed, Feb. 23, 1947; 8:47 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Office of Temporary Controls, Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, Pub. Laws 383 and 475, 79th Cong.; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719;

E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281; OTC Reg. 1, 11 F. R. 14311.

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, as Amended Feb. 28, 1947]

VETERANS' EMERGENCY HOUSING PROGRAM

§ 944.54 *Priorities Regulation 33*—(a) *What this regulation does.* Priorities Regulation 33 was the method by which the Civilian Production Administration provided general priorities assistance for the Veterans' Emergency Housing Program on applications filed before September 10, 1946. It was also the method by which persons who wished to do construction work restricted by VHP–1 could apply for authorization under that order when the work was to be done on structures used for residential purposes. Applications under the regulation were made to the National Housing Agency or an agency acting for it under a delegation. On and after December 24, 1946, all new applications in connection with housing accommodations have been filed under the Housing Permit Regulation or other applicable regulation of the Housing Expediter.

The provisions of Priorities Regulation 33, as amended, apply to all housing accommodations built under an approved application on Form CPA–4386 or Form CPA–4387.

(b) [Deleted Feb. 28, 1947.]

(c) On approval of an application, a copy of the application bearing a project serial number and a placard or placards are sent to the builder.

(1) If the application covered the construction, completion or conversion of dwelling accommodations to which veterans of World War II and members of the Armed Forces would be given preference in selling or renting, or if the application covered the construction, conversion or alteration by an educational institution or public organization of a dormitory or other group housing facility for veterans of World War II and members of the Armed Forces, the placard contained a statement that the accommodations were to be rented or sold to veterans or members of the Armed Forces and spaces for the maximum sales price or rent and the project serial number. The builder must insert in the placard or placards clearly, legibly and permanently the project serial number. The builder must set up a placard in front of each separate residential building on the project site in a conspicuous location within 5 days after construction has started and must keep the placard there until completion of the building; and, unless all the accommodations in the building have been sold or rented to veterans of World War II or members of the Armed Forces, in accordance with paragraph (h), for 30 days after completion (for 60 days after completion in the case of accommodations approved after August 6, 1946, which are being offered for sale) As soon as construction is completed, the builder must insert in the placard for that unit the appropriate rent and sales price, not in excess of those specified in the application as approved. The applicant may post a project sign instead of posting the placards sent to him. If he chooses to use a project sign, he must post a sign having the approximate dimensions of 3' x 5' or more in a conspicuous location on the site of the project. Such a sign must contain the same information that is required on placards as provided above and all provisions applying to placards, apply to signs posted instead of placards.

(2) If the application does not fall within paragraph (c) (1) the builder need not post any placard.

(d) Paragraph (c) of Schedule A to PR–33 contains the provisions concerning the use of HH ratings formerly in paragraph (d) of this regulation.

(e) *Construction of the project.* A builder who constructs, converts, alters, or repairs housing accommodations under this regulation must do the work in accordance with the description given in the application, except where he has obtained written approval for a change from the agency which approved the original application.

(f) *Reports.* All persons affected by this regulation shall file such reports as may be requested by the CPA, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Maximum sales prices and rents*—(1) *General.* The restrictions on sales prices and rents contained in this paragraph (g) must be observed so long as this regulation remains in effect. They apply to dwellings of the kinds described below when built or converted under this regulation. Except as provided in the Housing Permit Regulation, dwellings or other housing accommodations covered by approved applications under this regulation are considered to have been built or converted under this regulation when the priorities assistance assigned has been used to get materials for the accommodations or when the construction of the accommodations could not have been done under VHP–1 without the authorization granted by the approval of the application. The restrictions on sales prices do not apply to judicial or statutory foreclosure sales of a dwelling and do not prohibit any subsequent sale of the dwelling at or below the amount of the foreclosure sale. The restrictions on sales prices and rents apply to all sales and leases, whether made to veterans of World War II or to other persons. It is a violation of this regulation to condition a sale or rent on the purchase of or the agreement to purchase any commodity, service or property interest except where this regulation specifically permits the consideration paid for the commodity, service or property interest to be included in or added to the maximum sales price or maximum rent. Approval of a proposed sales price or rent should be considered merely as a limit upon the price or rent to be charged. It should not be considered as a statement that the sales price or rent represents the value of the dwelling or the apartment for other purposes. In the case of remodelling or rehabilitation, the Office of Price Administration may reduce the maximum rent specified in the application, unless prior approval of the rent has been obtained from that agency.

(2) *One-family dwelling.* (i) A "one-family dwelling" means a building designed for occupancy by one family and to be occupied, rented or sold as a unit, including a detached or semi-detached house or a row house but not including an apartment house or a two-family "one-over-one" house.

(ii) A builder must not sell a one-family dwelling built or converted under this regulation, including the land and all improvements (including garage if provided) for more than the maximum sales price specified in the application, as approved, including within this sales price the amount of any brokerage fees or commissions paid in connection with the sale, whether paid by the builder or by the purchaser.

(iii) No other person shall sell a one-family dwelling built or converted under this regulation, including the land and all improvements, for more than the maximum sales price specified in the application as approved, plus the amount of any normal and customary brokerage fees or commissions actually paid for services which have been rendered in connection with the sale being made, whether paid by the seller or the purchaser, plus normal and customary brokerage fees actually paid for services rendered in connection with previous sales of the dwelling (after the sale by the builder) whether paid by previous sellers or purchasers.

(iv) No person shall rent a one-family dwelling built or converted under this regulation for more than the maximum rent specified in the application as approved. If no rent is specified in the application, the person wishing to rent the dwelling may request the Federal Housing Administration to set a rent on the basis of information given in the original application and any supplemental information filed, and no person shall rent the dwelling for more than the amount set.

(3) *Two-family dwellings.* (i) A "two-family dwelling" means a building designed for occupancy by two families which will be sold as a unit, not including semi-detached or row houses covered by paragraph (g) (2)

(ii) A builder must not sell a two-family dwelling built or converted under

this regulation, including the land and all improvements (including garage if provided) for more than the maximum sales price specified in the application, as approved, including within this sales price the amount of any brokerage fees or commissions paid in connection with the sale, whether paid by the builder or the purchaser.

(iii) No other person shall sell a two-family dwelling built or converted under this regulation, including the land and all improvements, for more than the maximum sales price specified in the application as approved, plus the amount of any normal and customary brokerage fees or commissions actually paid for services which have been rendered in connection with the sale being made, whether paid by the seller or the purchaser, plus brokerage fees actually paid for services rendered in connection with previous sales of the dwelling (after the sale by the builder) whether paid by previous sellers or purchasers.

(iv) No person shall rent an apartment in a two-family dwelling built or converted under this regulation for more than the maximum rent specified for the apartment in the application as approved.

(4) *Multiple-family dwellings.* (i) A "multiple-family dwelling" means a building containing three or more separate living accommodations for three or more families.

(ii) No person shall rent an apartment in a multiple-family dwelling built or converted under this regulation for more than the maximum rent specified for the apartment in the application as approved.

(5) *Dormitories and group housing facilities.* No person (whether the builder or any other person) shall rent accommodations in a dormitory or other group housing facility built under this regulation for more than the maximum shelter rent specified in the application as approved.

(6) *Maximum rent and maximum shelter rent.* "Maximum rent" means the total consideration paid by the tenant for the accommodations including charges paid by the tenant for tenant services specified on the application and including charges paid by the tenant for garage as specified on the application, but excluding charges covering the actual cost on a pro rata basis for gas and electricity for the tenant's domestic purposes when the application specifies that such charges will be made. "Maximum shelter rent" means the maximum rent, less charges for tenant services and garage. Any payment for the rental of furniture made by a tenant or a prospective tenant in connection with the renting of dwelling accommodations built or altered under this regulation must be considered as a part of the maximum rent. However, if the rental of furniture was requested by a tenant in connection with a dwelling accommodation covered by a lease entered into with the tenant before December 13, 1946, the amount paid for furniture in connection with the lease or with a later renting of that dwelling accommodation need not be included in the maximum rent.

(7) *Requests for increases in sales prices and rents by builders.* A builder may apply to the Federal Housing Administration for an increase in the sales price or rent specified in the application before the house is sold (i. e., before title has passed) or initially rented. The application will not be approved unless he can show that he has incurred or will incur additional or increased costs in the construction over which he had, or has, no control, or if he can show that he will incur additional or increased costs in the operation of rented accommodations over which he has no control, and that these increased or additional costs will make it unreasonable for him to sell or rent at the price or rent specified in the application. No increase in sales price or rent will be granted in excess of the increase in construction cost, or a proper proportion of it, or the increase in operating cost, as the case may be.

(8) *Requests for increases in sales prices or rents by subsequent owners.* An owner of a dwelling built under this regulation, other than the builder, may apply to the Federal Housing Administration for an increase in the sales price or rent specified in the application if the subsequent owner has made improvements to the dwelling which would warrant an increase. No increase will be granted in excess of the cost of construction of the improvement, or a proper proportion of it in the case of a requested increase in rents. However, no increase in sales price to an amount more than $10,000 (or $17,000 in the case of a two-family dwelling) will be granted and no increase in shelter rent to more than $80 a month will be granted, except on appeal where unusual hardship would result. If an increase in rent is needed because of subsequent improvements, and the accommodations have previously been rented and are in a Defense Rental Area established by the Office of Price Administration, the owner should apply to the Area Rent Office of the Office of Price Administration for an increase (or in the District of Columbia to the Office of Administrator of Rent Control for the District of Columbia) If an increase is granted, one copy of the instrument granting the increase must be filed with the appropriate office of the Federal Housing Administration. Upon the filing of this copy with the Federal Housing Administration, the new rent granted becomes the maximum shelter rent under this regulation. (Note: Under Veterans' Housing Program Order 1 it may be necessary to get authorization to make these alterations.)

(h) *Preferences for veterans of World War II and members of the Armed Forces*—(1) *General.* This paragraph tells how preferences must be given under this regulation to veterans of World War II and members of the Armed Forces as long as this regulation remains in effect. As used in this regulation, "veterans of World War II and members of the Armed Forces" (sometimes referred to in this regulation as "veterans" or as "veterans of World War II") include the following: (i) A person who has been on active service in the U. S. Army, Navy, Coast Guard or Marine Corps or in the U. S. Merchant Marine during World War II (i. e., on or after September 16, 1940) and who was discharged or released under conditions other than dishonorable; (ii) a person who is serving in the U. S. Army, Navy, Coast Guard, Marine Corps or in the U. S. Merchant Marine; (iii) the spouse of a member of the Armed Forces who died in service during World War II or the spouse of a deceased veteran of World Wor II, if the spouse is living with a child or children of the deceased; or (iv) a citizen of the United States who served in the Armed Forces of an allied nation during World War II. The preference for veterans and members of the Armed Forces provided by this paragraph (h) do not apply to judicial or statutory foreclosure sales. Sales subsequent to a foreclosure sale, however, are subject to the provisions of this paragraph. The requirements of this paragraph apply to the original sales or leases and to later sales and leases, as long as this regulation remains in effect. The provisions of paragraph (h) do not apply to dwellings for which neither a maximum sales price nor a maximum rent is established under this regulation and do not apply to dwellings approved for the purpose of increasing or maintaining the production of scarce materials or products, or to the initial occupancy of a dwelling or an apartment in it approved under this regulation for the occupancy of the applicant or the continued occupancy of his tenant.

(2) *One-family dwellings.* (i) A builder who has built or converted a one-family dwelling under this regulation must, during construction and for 30 days after completion (or 60 days after completion if the application was approved after August 6, 1946, and the dwelling is being offered for sale) publicly offer it for sale or for rent at or below the approved maximum sales price or the approved maximum rent to veterans of World War II and members of the Armed Forces for their own occupancy, and he must not sell or rent it to any other person unless he has made such an offer.

(ii) If a one-family dwelling built or converted under this regulation is being offered for sale, the person offering it for sale must not sell or otherwise dispose of it to any person other than a veteran of World War II or a member of the Armed Forces unless he has publicly offered it for sale to such veterans for at least 30 days (or 60 days if the dwelling was built or converted under an authorization approved after August 6, 1946) at or below the approved maximum sales price.

(iii) No person shall rent a one-family dwelling built or converted under this regulation to any person other than a veteran of World War II or a member of the Armed Forces unless he has publicly offered the dwelling for rent to such veterans for at least 30 days (or during construction and for 30 days afterwards in the case of the initial offering by the builder) at or below the approved maximum rent.

(3) *Two-family dwellings.* (i) A builder who has built or converted a two-family dwelling under this regulation must publicly offer it for sale or the apartments in it for rent at or below the maximum sales price or the maximum rent specified in the application, as approved, to veterans of World War II and members of the Armed Forces for their own occupancy. This public offering must continue during construction and for 30 days afterwards in the case of rentals, and in the case of sales if the application was approved before August 7, 1946. It must last during construction and for 60 days after completion in the case of sales of dwellings built or converted under an application approved after August 6, 1946.

(ii) If a two-family dwelling built or converted under this regulation is being offered for sale, the person offering it for sale must not sell or otherwise dispose of it to any person other than a veteran of World War II or a member of the Armed Forces unless he has publicly offered it for sale to such veterans for at least 30 days (or 60 days if the dwelling was built or converted under an authorization approved after August 6, 1946) at or below the approved maximum sales price.

(iii) No person shall rent an apartment in a two-family dwelling built or converted under this regulation to any person other than a veteran of World War II or a member of the Armed Forces unless he has publicly offered the apartment for rent to such veterans for at least 30 days (or during construction and for 30 days afterwards in the case of the initial offering by the builder) at or below the approved maximum rent.

(4) *Multiple-family dwellings.* (i) A builder who has built or converted a multiple-family dwelling under this regulation must, during construction and for 30 days after completion, publicly offer the apartments in it for rent to veterans of World War II and members of the Armed Forces for their own occupancy at or below the maximum rent given in the application as approved.

(ii) No person shall rent an apartment in a multiple-family dwelling built or converted under this regulation to any person other than a veteran of World War II or a member of the Armed Forces unless he has publicly offered the apartment for rent to such veterans for at least 30 days (or during construction and for 30 days after completion in the case of the initial offering of the builder) at or below the approved maximum rent.

(5) *Dormitories and group housing facilities.* A builder who has built or converted a dormitory or other group housing facility under this regulation must make the accommodations available exclusively for veterans of World War II and members of the Armed Forces and their dependents otherwise eligible to occupy the accommodations, except that if an educational institution builds a dormitory under this program it may make available to non-veterans 40% of the accommodations in the dormitory if it makes available to veterans of World War II an equivalent number of similar or better accommodations in other dormitories at rents not larger than the rents specified in the application as approved.

(i) *Notices in advertisements and deeds.* (1) If the placard described in paragraph (c) (1) is sent to the applicant, as long as this regulation remains in effect a builder who has used the HH rating to get materials for a dwelling, or who could not, under Veterans' Housing Program Order 1, have built or converted the dwelling without approval under this regulation and every other person who has acquired title to such a dwelling (whether completed or not) must include a statement in substantially the following form in any deed, conveyance or other instrument by which the dwelling is sold, transferred or mortgaged to any other person:

> The building on the premises hereby conveyed was built (converted) under Priorities Regulation 33 (Builder's Serial No. —). Under that regulation a limit is placed on either the sales price or the rent for the premises or both and preferences are given to veterans of World War II or members of the Armed Forces in selling or renting. As long as that regulation remains in effect, any violation of these restrictions by the grantee or by any subsequent purchaser will subject him to the penalties provided by law. The above is inserted only to give notice of the provisions of Priorities Regulation 33 and neither the insertion of the above nor the regulation is intended to affect the validity of the interest hereby conveyed.

(2) If the placard described in paragraph (c) (1) is sent to the applicant, as long as this regulation remains in effect the builder and every subsequent owner, and their agents and brokers, must include in any advertisement printed or published in which accommodations built under Priorities Regulation 33 are offered for sale or for rent, the following statements:

> Built under Veterans' Emergency Housing Program.
>
> Held for sale (rent) to veterans of World War II for 60 (30) days.
>
> Sales price (rent per month) $_____.

(j) *Transfer of ratings forbidden.* No person to whom an HH rating has been assigned shall transfer the rating to any other person (as distinguished from applying the rating to purchase orders) and any transfer attempted is void. If for any reason a builder wishes to abandon a project and another builder wishes to continue with the project, the new builder should apply to the appropriate FHA office, attaching to his application a letter from the former builder or the representatives of the former builder joining in the request for the assignment of ratings to the new builder.

(k) *Appeals.* Any person affected by this regulation or a direction to it who considers that compliance with its provisions would result in an exceptional and unreasonable hardship on him may appeal for relief. An appeal from a provision of this regulation should be filed with the local office of the Federal Housing Administration or other appropriate agency. An appeal from a schedule or direction to this regulation, unless expressly stated otherwise, should be filed by letter in duplicate addressed to the Civilian Production Administration, Washington 25, D. C., Ref: Direction or Schedule to PR-33.

(l) *Amendments and supplemental applications.* A builder may apply to the agency which approved his application for an amendment to it. If the amendment covers changes in the specifications of the proposed dwelling or dwellings or changes in the proposed sales price or rent (see paragraph (g) (6)), or a change in the construction schedule of a project involving several buildings, the request for an amendment may be made by letter in triplicate. If the request for an amendment is granted, the provisions of this regulation apply to the application as amended. If the request for an amendment requires additional buildings or dwelling units not included in the original application, a new application on Form NHA 14-56 covering the new units should be filed.

(m) *Communications.* All communications about this regulation should be addressed to the appropriate State or District Office of the Federal Housing Administration or other appropriate agency. Communications about Schedules A and B or directions to the regulation should, unless specifically directed otherwise, be addressed to the Civilian Production Administration, Washington 25, D. C., or to the appropriate Civilian Production Administration Construction Field Office.

(n) *Violations.* Any person who wilfully violates any provision of this regulation or who, in connection with this regulation, wilfully conceals a material fact or furnishes false information to any Department or Agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining any further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 28th day of February 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

PUBLIC OFFERING

Paragraph (h) of Priorities Regulation 33 provides generally that the owner of dwelling accommodations constructed under the Regulation must "publicly offer" them for sale or for rent exclusively to eligible veterans during prescribed periods. This requirement imposes upon the owner the obligation not only to offer the accommodations to veterans in good faith but also to take such affirmative steps as, under the circumstances, will give notice to all veterans or a reasonably large class of veterans in the community that the accommodations are available and will give them a reasonable opportunity to negotiate for them. These steps may take the form of newspaper advertisements, listing the property with real estate brokers, or consulting the local Mayor's Veterans' Housing Committee for the purpose of finding eligible veterans. The mere posting of a placard is not sufficient for this purpose. The owner's intention as manifested by his conduct is an important element in determining whether the public

offer requirement has been met. The refusal of the owner to sell to a particular veteran for personal reasons does not by itself necessarily constitute a violation of the public offer requirement. If, however, an owner refuses to sell or rent to veterans whom he does not know to be unqualified or unable to purchase or rent, and then sells or rents to a non-veteran, the owner has violated the regulation. (Issued October 31, 1946.)

INTERPRETATION 2

PREFERENCES TO VETERANS IN SELLING OR RENTING HOUSING ACCOMMODATIONS

Paragraph (h) of Priorities Regulation 33 sets forth the preferences which must be given to veterans of World War II when housing accommodations built under the regulation are being sold or rented. Paragraph (g) sets forth limitations on the sales prices and rents which may be charged for the accommodations. In general these paragraphs provide that the accommodations must be offered for sale or for rent to veterans of World War II (as defined in PR 33) during construction and for 30 days after completion or for 30 days in case the house or tment is later sold or rented again. W a one or two family house which was authorized after August 6, 1946 is to be sold, it must be offered to veterans during construction and for 60 days after completion or for 60 days in case of a later sale. The requirement that a house or apartment be offered for 60 or 30 days does not prevent the offeror from accepting a veteran's offer within the period. The following examples will illustrate the effect of these general rules. (In the illustrations it is assumed that the authorization was issued after August 6, 1946. If approval had been given on or before August 6, 1946, the 60 day figures below would be 30 days.)

(1) A one-family dwelling was built under the regulation, with a maximum sales price of $7,500. The builder sold it to a veteran when it was complete. The veteran now wishes to move. The veteran must publicly offer the house to other veterans of World War II for 60 days. The veteran must not charge more than $7,500 for the house whether he sells to a veteran or to a non-veteran, unless he has been authorized to charge more by the Federal Housing Administration. However, if any customary brokerage fees are paid for services rendered in connection with this sale, whether paid by the buyer or the seller, they may be added to the sales price.

(2) A one-family dwelling was built under the regulation, with a maximum sales price of $7,500. The builder publicly offered the dwelling to veterans during construction and for 30 days after completion without finding a veteran who wanted to buy it. He then sold the house to a non-veteran for $7,500. The non-veteran now wishes to sell the house. The non-veteran must publicly offer the dwelling to veterans of World War II for 60 days, at a price of $7,500 or less. However, if any customary brokerage fees are paid for services rendered in connection with this sale, whether paid by the buyer or the seller, they may be added to the sales price.

(3) A one-family dwelling was built under the regulation. A maximum sales price of $7,500 was approved, but no rent was stated in the application. The builder, instead of selling the dwelling at once, decides to rent it. He must apply to the Federal Housing Administration for approval of a maximum rent before he rents the dwelling.

(4) A one-family dwelling was built under the regulation, having a maximum rent of $63 a month and a maximum sales price of $7,500. The builder sold the house to a veteran. The veteran now wishes to rent the house. He must publicly offer the dwelling to veterans of World War II for 30 days, before renting to a non-veteran, and he must not charge more than $63, whether he rents to a veteran or a non-veteran unless the Federal Housing Administration authorizes an increase.

(5) A one-family dwelling was built under the regulation, having a maximum rent of $63 a month and a maximum sales price of $7,500. The builder rented it to a non-veteran for $63 a month, no veterans having applied during construction and for 30 days after completion. The tenant now wishes to sublet the house. He must publicly offer the house to veterans of World War II for 30 days and must not rent it for more than $63 a month. This would also be the case if the tenant who wished to sublet were a veteran.

(6) A multiple-family dwelling was built under the regulation, each apartment having a maximum rent of $63 a month. The builder publicly offered the apartments for rent to veterans during construction and for 30 days after completion. One of the apartments was leased by a veteran; another, not having been taken by a veteran during this period, was then leased to a non-veteran. Neither the veteran nor the non-veteran may be charged more than $63 a month for his apartment. Six months later the two apartments are vacated. The builder must publicly offer each for 30 days to veterans of World War II for not more than $63 a month.

(7) A multiple-family dwelling was built under the regulation, each apartment having a maximum rent of $63. All the apartments were rented to veterans when the building was completed. The builder sold the building to an investor. An apartment has been vacated by a tenant. The new owner must publicly offer the apartment for 30 days to veterans of World War II for not more than $63 a month, and must not rent it to a non-veteran unless he has made such a public offer to veterans.

(8) A multiple-family dwelling was built under the regulation, each apartment having a maximum rent of $63. The builder wishes to sell the building to be operated as a co-operative apartment house. The builder cannot do this unless the Federal Housing Administration grants him an appeal from the requirement that he must publicly offer the apartments for rent to veterans during construction and for 30 days after completion.

See also Interpretation 1 to Priorities Regulation 33 which defines and explains the requirements of the regulation which concern public offering to veterans. (Issued November 15, 1946.)

INTERPRETATION 3

CHARGES IN EXCESS OF MAXIMUM SALES PRICE REQUESTED BECAUSE OF INCIDENTAL CHARGES, EXTRAS, OR ADDITIONAL CONSTRUCTION

Under paragraph (g) of Priorities Regulation 33 a seller must not require a purchaser, as a condition for the sale of a house, to buy or agree to buy any commodity, service, or property interest, except where the regulation specifically permits the charges for the commodity, service, or property interest to be added to the maximum sales price. This means that the seller must offer the dwelling accommodations to the purchaser at or below the approved maximum sales price and free from incidental charges and extras. The following examples illustrate the effect of this general rule:

1. *Abstract fees and title insurance.* The purchaser may pay the customary abstract fees and title insurance over and above the maximum sales price, unless the purchaser is required to take these services when he does not want them.

2. *Financing charges.* The purchaser may pay customary incidental charges (such as fire insurance, title insurance, mortgagee's appraisal fees, and future taxes) in connection with financing the purchase of a dwelling, if the purchase of these services is not made a condition to the sale. The purchaser must be given an opportunity to purchase the dwelling for cash at or below the approved maximum price and to finance the purchase himself in any way he desires. The seller cannot require the purchaser to finance the purchase through a particular lending institution.

3. *Previously incurred charges.* Charges which have been incurred by the builder before the sale of the dwelling must not be charged the purchaser in addition to the maximum sales price. A request that a prospective purchaser pay such charges for prior services would be making the charges a condition to the sale. Charges of this kind include accumulated taxes before the date of sale, interest before the sale, prepayment penalties in connection with a builder's loan, fees for survey of site and liability and fire insurance before the sale.

4. *Charges for additional construction or for equipment or fixtures not specified in the application.* The builder must publicly offer the building described in the application at or below the approved maximum sales price. He may not, under his authorization, do any additional construction in connection with the authorized construction over and above what is specified in the application, except where he gets written approval from the agency which approved the original application. He must not increase his sales price above the approved maximum sales price by reason of any such additional construction or added equipment, except where the increased price has been approved in writing by the agency which approved the original application.

A person who has bought a house built under Priorities Regulation 33 and who has made improvements to the house (authorization under VHP-1 may be required for such improvements) must not charge more than the approved maximum sales price for the house if he sells it, unless he has obtained permission for the increased charge from the agency which approved the original application (this will usually be given, where appropriate, in connection with the application for authorization under VHP-1 to make the improvements). (Issued February 3, 1947.)

[P. R. Doc. 47-1983; Filed, Feb. 23, 1947; 11:15 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1103]

KIMBALL BROS.

A. J. Kimball and G. C. Kimball, partners, d/b/a Kimball Brothers, at 256 South Saginaw Street, Pontiac, Michigan, about November 23, 1946, without authorization of the Civilian Production Administration began and thereafter carried on construction, at an estimated cost of $10,000, of a structure at 631 Oakland Avenue, Pontiac, Michigan, for use in the servicing of farm tractors and farm implements and for supplying repair parts therefor. This was a violation of Veterans' Housing Program Order No. 1, and has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1103 *Suspension Order No. S-1103.* (a) Neither A. J. Kimball nor G. C. Kimball, individually or d/b/a Kimball Brothers, their successors and assigns, nor any other person shall do any further construction on the structure at 631 Oakland Avenue, Pontiac, Michigan, including putting up, completing or altering the structure, unless hereafter

authorized in writing by the Civilian Production Administration.

(b) A. J. Kimball and G. C. Kimball, d/b/a Kimball Brothers, shall refer to this order in any application or appeal which they may file with the Civilian Production Administration or any other duly authorized Governmental agency for priorities assistance or authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve A. J. Kimball and G. C. Kimball, individually or d/b/a Kimball Brothers, their successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 28th day of February 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-1996; Filed, Feb. 28, 1947; 11:16 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1104]

UNITED STATES FIDELITY & GUARANTY CO.

United States Fidelity and Guaranty Co., a corporation, 75 William Street, New York, N. Y., made application on September 12, 1946, on Form CPA-4423, for authorization to do certain construction in repairing and making alterations upon the structure to be used as an office building at 100 Maiden Lane, New York City, at an estimated cost of $50,000, which was denied on September 24, 1946. About October 1, 1946, it began and carried on construction, repairs and alterations upon the aforesaid structure at an estimated cost in excess of $25,100, despite the denial of authorization by the Civilian Production Administration. This was a wilful violation of Veterans' Housing Program Order No. 1, and has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1104 *Suspension Order No. S-1104.* (a) Neither United States Fidelity and Guaranty Co., a corporation, its successors and assigns, nor any other person shall do any further construction on the premises located at 100 Maiden Lane, New York City, N. Y., including completing the remodeling, repairs or alterations or construction therein, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) United States Fidelity and Guaranty Co., shall refer to this order in any application or appeal which they may file with the Civilian Production Administration for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve the United States Fidelity and Guaranty Co., its successors and assigns, from any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 28th day of February 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-1997; Filed, Feb. 28, 1947; 11:16 a. m.]

PART 3283—LUMBER AND LUMBER PRODUCTS

[Limitation Order L-358, Revocation]

SOFTWOOD PLYWOOD

Section 3283.149 *Limitation Order L-358,* is revoked effective March 31, 1947. This revocation does not affect any liabilities incurred for the violation of the order, or of actions taken by the Civilian Production Administration under it.

Issued this 28th day of February 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-1991; Filed, Feb. 28, 1947; 11:15 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Limitation Order L-359, Revocation]

LUMBER, MILLWORK AND HARDWOOD FLOORING

Section 3285.153 *Limitation Order L-359,* is revoked effective March 31, 1947. This revocation does not affect any liabilities incurred for the violation of the order, or of actions taken by the Civilian Production Administration under it. After March 31, 1947 deliveries of Douglas Fir and Western Pine shop lumber will be subject to Veterans' Housing Program Order 5. Nothing in this revocation affects the validity of ratings applied or extended for lumber prior to April 1, 1947.

Issued this 28th day of February 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-1992; Filed, Feb. 28, 1947; 11:15 a. m.]

PART 4700—VETERANS' EMERGENCY HOUSING PROGRAM

[Veterans' Housing Program Order 5]

DELIVERY RESTRICTION ON DOUGLAS FIR AND WESTERN PINE SHOP LUMBER

There is a shortage in the supply of Douglas Fir and Western Pine shop lumber for defense, for private account and for export. Douglas Fir and Western Pine shop lumber are suitable for the manufacture of millwork needed for the construction and completion of housing accommodations in rural and urban areas and for construction and repair of essential farm buildings. This order is necessary and appropriate in the public interest, to promote the national defense and to effectuate the purposes of the Veterans' Emergency Housing Act of 1946.

§ 4700.18 *Veterans' Housing Program Order 5*—(a) *Definitions.* For the purpose of this order:

(1) "Sawmill" means: (i) a person operating any mill or plant, stationary or portable, that produces Douglas Fir or Western Pine lumber. The term includes a person who has Douglas Fir and Western Pine logs manufactured into lumber by a sawmill, except a person who has less than 5,000 feet a quarter of his own logs sawed into lumber for his own use; (ii) a person operating any plant or concentration yard which processes (by drying, resawing, edging, grading, sorting, planing, or otherwise) 25 percent or more of the total volume of Douglas Fir and Western Pine logs and lumber which it receives.

(2) "Distributor" means any person who buys and stocks Douglas and Western Pine lumber for resale as lumber. The term "distributor" also includes any establishment owned or operated by a sawmill where Douglas Fir and Western Pine lumber is sold. A distributor who has two or more distinct and separate yards must for the purpose of this order, consider each yard a "distributor"

(3) "Millwork" means only sash, windows, doors, interior and exterior frames for the foregoing, combination doors and garage doors; storm sash and storm doors; window, sash and door screens; porch columns, louvres and newels; standing interior trim for doors and windows and cased openings; crown, bed, cove, brick, screen, panel, band and cornice mouldings; quarter, half and full rounds; window and door steps; nosing, screen, sash, sill and frame stock; hook strip, corner and glass bead; chair, porch and hand rails; shelf cleat; panel strips; stools and aprons; lattice; drip cap and water table; back band, cap trim, floor and base mouldings; astragals, and baluster stock; mantels; built-in kitchen cabinets, medicine cases, china cabinets, ironing boards and linen closets.

(4) "Cut-stock manufacturer" means a person who supplies from his production plant stock surfaced 2-sides, cut to approximate net sizes for the manufacture of doors, sash, check rail and plain rail windows, exterior frames and inside jambs. Cut-stock for doors, windows and sash consists of stock cut to approximate net sizes S2S and not further machined for stiles, rails, bars, muntins, meeting rails and facings for door stiles. Cut-stock for frame parts consists of stock cut to approximate net sizes S2S and not further machined for pulley stiles, blind and parting stops, outside casings, sills, drip cap and brick mould.

(b) *Sawmills.* Sawmills must sell only to millwork or cut-stock manufacturers or distributors, or to persons who certify in writing that they will sell to millwork or cut-stock manufacturers, 85 percent of all 8/4" and thinner Douglas Fir and Western Pine shop, including No. 3 clears, produced in any quarter.

(c) *Distributors.* A distributor must sell only to millwork or cut-stock manu-

facturers, or persons who certify in writing that they will sell to millwork or cutstock manufacturers, 85 percent of all 8/4" and thinner Douglas Fir and Western Pine shop, including No. 3 clears, received in any quarter.

(d) *Miscellaneous*—(1) *Applicability of regulations.* Except as otherwise required by this order, Priorities Regulations 1 and 3 continue to govern the use of ratings and the acceptance, scheduling and filling of orders. All other applicable regulations and orders of the Civilian Production Administration must be observed where not inconsistent with this order.

(2) *Appeals.* An appeal from the provisions of this order should be made by mailing a letter in triplicate to the Civilian Producton Administration, Forest Products Division, Washington 25, D. C., Ref.. VHP 5.

(3) *Effective date.* This order shall become effective April 1, 1947.

Issued this 28th day of February 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-1990; Filed, Feb. 28, 1947; 11:15 a. m.]

Chapter XI—Office of Temporary Controls, Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Housing,[1] Amdt. 111 (§ 1388.1181)]

HOUSING

The application of the rent regulation for housing is terminated in a portion of the Phoenix-Salt River Valley defense-rental area, in a portion of the Yuma defense-rental area, in a portion of the Ft. Huachuca defense-rental area, in a portion of the Prescott-Flagstaff defense-rental area, in a portion of the Tucson defense-rental area, in a portion of the Lassen County defense-rental area, in a portion of the San Diego defense-rental area, in a portion of the Panama City defense-rental area, in a portion of the Columbia, South Carolina, defense-rental area, in a portion of the Corpus Christi defense-rental area, in a portion of the Ogden defense-rental area, and in a portion of the Waco defense-rental area, and consequently the above-named portions of areas are decontrolled and Items 13, 14, 15, 16, 17, 28, 37, 62, 278, 309, 332 and 334a of Schedule A of the rent regulation for housing are amended to read as follows:

Name of Defense-Rental Area	State	County or counties in defense-rental area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(13) Ft. Huachuca	Arizona	Cochise and in Santa Cruz County the portion within the corporate limits of the city of Nogales.	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(14) Phoenix-Salt River Valley	do	In Gila County, the portion bounded on the north, west, and south by Crook National Forest, and on the east by San Carlos Indian Reservation; and Maricopa County, except the portion lying west of the west line of Range 2 West, Gila and Salt River Meridian; lying north of the north line of Township 3, North, Gila and Salt River Base Line; and lying south of the south line of Township 2, south, Gila and Salt River Base Line.	do	Dec. 1, 1942	Jan. 15, 1943
(15) Prescott-Flagstaff	do	Coconino and in Yavapai County, Townships 13 and 14 North, Range 2 West, Gila and Salt River Base and Meridian, including the city of Prescott.	do	Oct. 1, 1942	Nov. 15, 1942
		That portion of the County of Mohave south of the Colorado River	do	Nov. 1, 1943	Dec. 15, 1943
(16) Tucson	do	In Pima County, the portion lying east of the Papago Indian Reservation.	do	Dec. 1, 1942	Jan. 15, 1943
(17) Yuma	do	In Yuma County, the portion lying west of the west line of Range 21 West, Gila and Salt River Meridian.	do	do	Do.
(28) Lassen County	California	In Lassen County, the portion consisting of Township 29 North Range 12 East, Township 29 North Range 11 East, Township 30 North Range 12 East, and Township 30 North Range 11 East, Mt. Diablo Base and Meridian.	do	Nov. 1, 1942	Dec. 16, 1942
(37) San Diego	do	In San Diego County, the portion lying west of San Bernardino Meridian.	Jan. 1, 1941	June 1, 1942[1]	July 15, 1942
(62) Panama City	Florida	Bay	Mar. 1, 1942	Sept. 1, 1942	Oct. 15, 1942
	do	Gulf	do	Dec. 1, 1942	Jan. 15, 1943
(278) Columbia, S. C.	South Carolina	Aiken County, except Townships of Chinquepin, Giddy Swamp, Hopewell, McTier, Millbrook, Rocky Grove, Rocky Springs, Shaws, Silverton, Sleepy Hollow, Tabernacle, and Windsor.	do	Oct. 1, 1942	Nov. 15, 1942
		Lexington and Richland	do	Nov. 1, 1942	Jan. 14, 1943
		Sumter	do	Dec. 1, 1942	Jan. 15, 1943
		Florence	do	May 1, 1943	June 15, 1943
(309) Corpus Christi	Texas	San Patricio and Nueces, except the town of Port Aransas	do	Aug. 1, 1942	Sept. 15, 1942
	do	Bee and Kleberg	do	Nov. 1, 1943	Dec. 15, 1943
(332) Waco	do	McLennan	do	Aug. 1, 1942	Sept. 15, 1942
(334a) Ogden	Utah	Box Elder except the portion lying north of the north boundary of Township 12 North and west of the west boundary of Range 3 West, Salt Lake Base and Meridian.	do	Oct. 1, 1942	Nov. 15, 1942
	do	Davis and Weber	do	Aug. 1, 1942	Sept. 15, 1942

[1] For the portion of the County of San Diego, other than the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest, and which remains under control after March 1, 1947, the effective date is July 1, 1942.

This amendment shall become effective March 1, 1947.

Issued this 28th day of February 1947.

PHILIP B. FLEMING,
Temporary Controls Administrator.

Statement To Accompany Amendment 111 to the Rent Regulation for Housing and Amendment 103 to the Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts

By these amendments the application of the rent regulations is terminated in a portion of the Phoenix-Salt River Valley defense-rental area in Arizona, consisting of:

1. The portion of Maricopa County lying west of the west line of Range 2 West, Gila and Salt River Meridian; lying north of the north line of Township 3 North, Gila and Salt River Base Line; and lying south of the south line of Township 2 South, Gila and Salt River Base Line and,

2. Gila County, except the portion bounded on the north, west, and south by Crook National Forest, and on the east by San Carlos Indian Reservation.

The application of the regulations is also terminated in a portion of the Fort Huachuca defense-rental area in Arizona, consisting of Santa Cruz County, except the portion within the corporate limits of the City of Nogales; in a portion of the Prescott-Flagstaff defense-rental area in Arizona, consisting of Yavapai County, except Townships 13 and 14 North, Range 2 West, Gila and Salt River Base and Meridian, including the City of Prescott; in a portion of the Tucson defense-rental area in Arizona, consisting of Pima County, except the portion lying east of the Papago Indian Reservation; in a portion of the Yuma defense-rental area in Arizona, consisting of Yuma County, except the portion lying west of the west line of Range 21 West, Gila and Salt River Meridian; in a portion of the Lassen County defense-rental area in California, consisting of Lassen County except Township 29 North Range 12 East, Township 29 North Range 11 East, Township 30 North Range 12 East, and Township 30 North Range 11 East, Mt. Diablo Base and Meridian; in a portion of the San Diego defense-rental area in California, consisting of the portion of San Diego County lying east of the San Bernardino Meridian; in a portion of the Panama City defense-rental area in Florida, consisting of Franklin County; in a portion of the Columbia, South Carolina defense-rental area, consisting of Calhoun

[1] 11 F. R. 12055, 13028, 13309, 14013, 14169, 14572; 12 F. R. 229.

County and the Townships of Silverton and Sleepy Hollow in Aiken County in a portion of the Corpus Christi defense-rental area in Texas, consisting of the Town of Port Aransas in Nueces County; in a portion of the Waco defense-rental area in Texas, consisting of Coryell County; and in a portion of the Ogden defense-rental area in Utah, consisting of Morgan County and the portion of Box Elder County lying north of the north boundary of Township 12 North and west of the west boundary of Range 3 West, Salt Lake Base and Meridian.

The application of the rent regulation for transient hotels, residential hotels, rooming houses and motor courts is terminated in a portion of the Charleston, South Carolina defense-rental area, consisting of Colleton County.

In the judgment of the Temporary Controls Administrator, these amendments are necessary and proper in order to effectuate the purposes of the Emergency Price Control Act.

No provisions which might have the effect of requiring a change in established rental practices have been included in the amendments unless such provisions have been found necessary to achieve effective rent control and to prevent circumvention or evasion of the rent regulations and the act. To the extent that the provisions of these amendments compel or may operate to compel changes in established rental practices, such provisions are necessary to prevent circumvention or evasion of the rent regulations and the act.

[F. R. Doc. 47-2000; Filed, Feb. 28, 1947; 11:47 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts,[1] Amdt. 103 (§ 1388.1231)]

TRANSIENT HOTELS, RESIDENTIAL HOTELS, ROOMING HOUSES, AND MOTOR COURTS

The application of the rent regulation for transient hotels, residential hotels, rooming houses and motor courts is terminated in a portion of the Ft. Huachuca defense-rental area, in a portion of the Phoenix-Salt River Valley defense-rental area, in a portion of the Prescott-Flagstaff defense-rental area, in a portion of the Tucson defense-rental area, in a portion of the Yuma defense-rental area, in a portion of the Lassen County defense-rental area, in a portion of the San Diego defense-rental area, in a portion of the Panama City defense-rental area, in a portion of the Charleston, South Carolina defense-rental area, in a portion of the Columbia, South Carolina defense-rental area, in a portion of the Corpus Christi defense-rental area, in a portion of the Ogden defense-rental area, and in a portion of the Waco defense-rental area, and consequently the above-named portions of areas are decontrolled and items 13, 14, 15, 16, 17, 28, 37, 62, 277, 278, 309, 332 and 334a of Schedule A of the rent regulation for transient hotels, residential hotels, rooming houses and motor courts are amended to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Areas under rent regulation for transient hotels, residential hotels, etc.	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(13) Ft. Huachuca	Arizona	Cochise and in Santa Cruz County the portion within the corporate limits of the city of Nogales.	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(14) Phoenix-Salt River Valley	do	In Gila County, the portion bounded on the north, west, and south by Crook National Forest, and on the east by San Carlos Indian Reservation; and Maricopa County, except the portion lying west of the west line of Range 2 West, Gila and Salt River Meridian; lying north of the north line of Township 3, North, Gila and Salt River Base Line; and lying south of the south line of Township 2, South, Gila and Salt River Base Line.	do	Dec. 1, 1942	Jan. 15, 1943
(15) Prescott-Flagstaff	do	Coconino and in Yavapai County, Townships 13 and 14 North, Range 2 West, Gila and Salt River Base, and Meridian, including the city of Prescott.	do	Oct. 1, 1942	Nov. 15, 1942
		That portion of the County of Mohave south of the Colorado River	do	Nov. 1, 1943	Dec. 15, 1943
(16) Tucson	do	In Pima County, the portion lying east of the Papago Indian Reservation	do	Dec. 1, 1942	Jan. 15, 1943
(17) Yuma	do	In Yuma County, the portion lying west of the west line of Range 21 West, Gila and Salt River Meridian.	do	do	Do.
(28) Lassen County	California	In Lassen County, the portion consisting of Township 29 North Range 12 East, Township 29 North Range 11 East, Township 30 North Range 12 East, and Township 30 North Range 11 East, Mt. Diablo Base and Meridian.	do	Nov. 1, 1942	Dec. 15, 1942
(37) San Diego	do	In San Diego County, the portion lying west of the San Bernardino Meridian.	Jan. 1, 1941	June 1, 1942[1]	July 15, 1942
(62) Panama City	Florida	Bay	Mar. 1, 1942	Sept. 1, 1942	Oct. 15, 1942
	do	Gulf	do	Dec. 1, 1942	Jan. 15, 1943
(277) Charleston, S. C.	South Carolina	Charleston and Dorchester	do	Aug. 1, 1942	Sept. 15, 1942
	do	Beaufort	do	Apr. 15, 1943	May 30, 1943
(278) Columbia, S. C.	do	Aiken County, except the Townships of Chinquepin, Giddy Swamp, Hopewell, McTier, Millbrook, Rocky Grove, Rocky Springs, Shaws, Silverton, Sleepy Hollow, Tabernacle, and Windsor.	do	Oct. 1, 1942	Nov. 15, 1942
	do	Lexington and Richland	do	Nov. 1, 1942	Jan. 14, 1943
	do	Sumter	do	Dec. 1, 1942	Jan. 15, 1943
	do	Florence	do	May 1, 1943	June 15, 1943
(309) Corpus Christi	Texas	San Patricio and Neuces, except the Town of Port Aransas	do	Aug. 1, 1942	Sept. 15, 1942
	do	Bee and Kleberg	do	Nov. 1, 1943	Dec. 15, 1943
(332) Waco	do	McLennan	do	Aug. 1, 1942	Sept. 15, 1942
(334a) Ogden	Utah	Box Elder except the portion lying north of the north boundary of Township 12 North and west of the west boundary of Range 3 West, Salt Lake Base and Meridian.	do	Oct. 1, 1942	Nov. 15, 1942
	do	Davis and Weber	do	Aug. 1, 1942	Sept. 15, 1942

[1] For the portion of the County of San Diego, other than the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest, and which remains under control after March 1, 1947, the effective date is July 1, 1942.

This amendment shall become effective March 1, 1947.

Issued this 28th day of February 1947.

PHILIP B. FLEMING,
Temporary Controls Administrator.

Statement To Accompany Amendment 111 to the Rent Regulation for Housing and Amendment 103 to the Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses, and Motor Courts

By these amendments the application of the rent regulations is terminated in the portion of the Phoenix-Salt River Valley defense-rental area in Arizona, consisting of:

1. That portion of Maricopa County lying west of the west line of Range 2 West, Gila and Salt River Meridian; lying north of the north line of Township 3 North, Gila and Salt River Base Line; and lying south of the south line of Township 2 South, Gila and Salt River Base Line and,

2. Gila County, except the portion bounded on the north, west, and south by Crook National Forest, and on the east by San Carlos Indian Reservation.

[1] 11 F. R. 13032, 13056, 13305, 14013, 14187.

The application of the regulations is also terminated in a portion of the Ft. Huachuca defense-rental area in Arizona, consisting of Santa Cruz County, except the portion within the corporate limits of the City of Nogales; in a portion of the Prescott-Flagstaff defense-rental area in Arizona, consisting of Yavapai County, except Townships 13 and 14 North, Range 2 West, Gila and Salt River Base and Meridian, including the City of Prescott; in a portion of the Tucson defense-rental area in Arizona, consisting of Pima County, except the portion lying east of the Papago Indian Reservation; in a portion of the Yuma defense-

rental area in Arizona, consisting of Yuma County, except the portion lying west of the west line of Range 21 West, Gila and Salt River Meridian; in a portion of the Lassen County defense-rental area in California, consisting of Lassen County except Township 29 North, Range 12 East, Township 29 North, Range 11 East, Township 30 North, Range 12 East, and Township 30 North, Range 11 East, Mt. Diablo Base and Meridian; in a portion of the San Diego defense-rental area in California, consisting of the portion of San Diego County lying east of the San Bernardino Meridian; in a portion of the Panama City defense-rental area in Florida, consisting of Franklin County; in a portion of the Columbia, South Carolina defense-rental area, consisting of Calhoun County and the Townships of Silverton and Sleepy Hollow in Aiken County; in a portion of the Corpus Christi defense-rental area in Texas, consisting of the Town of Port Aransas in Nueces County; in a portion of the Waco defense-rental area in Texas, consisting of Coryell County; and in a portion of the Ogden defense-rental area in Utah, consisting of Morgan County and the portion of Box Elder County lying north of the north boundary of Township 12 North and west of the west boundary of Range 3 West, Salt Lake Base and Meridian.

The application of the rent regulation for transient hotels, residential hotels, rooming houses and motor courts is terminated in a portion of the Charleston, South Carolina defense-rental area, consisting of Colleton County.

In the judgment of the Temporary Controls Administrator, these amendments are necessary and proper in order to effectuate the purposes of the Emergency Price Control Act.

No provisions which might have the effect of requiring a change in established rental practices have been included in the amendments unless such provisions have been found necessary to achieve effective rent control and to prevent circumvention or evasion of the rent regulations and the act. To the extent that the provisions of these amendments compel or may operate to compel changes in established rental practices, such provisions are necessary to prevent circumvention or evasion of the rent regulations and the act.

[F. R. Doc. 47-2001; Filed, Feb. 28, 1947; 11:47 a. m.]

Chapter XXV—Surplus Property Office, Department of the Interior

PART 9050—ESTABLISHMENT OF SURPLUS PROPERTY OFFICE

Chapter 25, Surplus Property Office, Department of the Interior, and Part 9050, Establishment of Surplus Property Office (11 F. R. 12307) are revoked as of February 23, 1947.

(R. S. 161, 5 U. S. C. 22; E. O. 9828, Feb. 21, 1947, 12 F. R. 1215)

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

FEBRUARY 21, 1947.

[F. R. Doc. 47-1905; Filed, Feb. 28, 1947; 8:45 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service, Department of Agriculture

PART 201—NATIONAL FORESTS

EXCLUDING CERTAIN TRACTS OF LAND FROM CHUGACH AND TONGASS NATIONAL FORESTS AND RESTORING THEM TO ENTRY

CROSS REFERENCE: For order affecting the tabulation contained in § 201.1, see Public Land Order 355 under Title 43, *infra*, excluding certain tracts of land from the Chugach and Tongass National Forests and restoring them to entry.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 354[1]]

ALASKA

REVOKING PUBLIC LAND ORDER 34 OF AUGUST 25, 1942, AND AMENDATORY EXECUTIVE ORDER 9526 OF FEBRUARY 28, 1945, SO FAR AS IT REFERS TO THAT ORDER AND RESERVING LAND FOR USE OF ALASKA RAILROAD

By virtue of the authority contained in the act of March 12, 1914, 38 Stat. 305, 307, U. S. C. Title 48, sec. 303, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 34, of August 25, 1942, withdrawing the following-described public land for the use of the War Department and amendatory Executive Order No. 9526 of February 28, 1945, so far as it refers to Public Land Order No. 34, are hereby revoked:

Block 20 including the 20-foot alley therein in Anchorage Town Site as shown on the plat of survey approved September 10, 1915, by the Commissioner of the General Land Office.

The land hereby released is reserved under the jurisdiction of the Interior Department for the use of the Alaska Railroad.

WARNER W. GARDNER,
Assistant Secretary of the Interior.

FEBRUARY 19, 1947.

[F. R. Doc. 47-1906; Filed, Feb. 28, 1947; 8:45 a. m.]

[Public Land Order 355]

ALASKA

EXCLUDING CERTAIN TRACTS OF LAND FROM CHUGACH AND TONGASS NATIONAL FORESTS AND RESTORING THEM TO ENTRY

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (U. S. C., Title 16, sec. 473) and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The following-described tracts of public land in Alaska, occupied as home sites, and identified by surveys of which plats and field notes are on file in the Bureau of Land Management, Washington, D. C., are hereby excluded from the Chugach and Tongass National Forests as hereinafter, indicated and restored, subject to valid existing rights, including rights based on occupancy by the natives of Alaska, to entry under the applicable public-land laws:

CHUGACH NATIONAL FOREST

U. S. Survey No. 2533, lot "F" 3.17 acres; latitude 60°21'23" N., longitude 149°21'20" W. (Homesite No. 61, Lakeview Group);

TONGASS NATIONAL FOREST

U. S. Survey No. 2383, lot "A" 4.79 acres; latitude 53°24'48" N., longitude 134°42'00" W. (Homesite No. 385, Tee Harbor Group);

U. S. Survey No. 2391, lot "CC" 3.35 acres; approximate latitude 58°23'30" N., longitude 134°38'00" W. (Homesite No. 640, Triangle Group);

U. S. Survey No. 2402, lot 33, 0.69 acres; latitude 55°18'00" N., longitude 131°31'40" W. (Homesite No. 765, Herring Cove-Mountain Point Group);

U. S. Survey No. 2412, lot 21, 4.55 acres; latitude 57°23'00" N., longitude 134°24'15" W. (Homesite No. 742, Hood Bay Group);

U. S. Survey No. 2461, lot "D" 4.83 acres; latitude 56°45'23" N., longitude 132°53'00" W. (Homesite No. 245, Scow Bay-Mountain Point Group);

U. S. Survey No. 2554, lot "S" 1.90 acres; latitude 55°23'24" N., longitude 131°47'35" W. (Homesite No. 721, Clover Pass Group);

U. S. Survey No. 2589, lot 11, 4.47 acres; approximate latitude 58°25'00" N., longitude 132°20'00" W. (Homesite No. 715, Wrangell Group);

U. S. Survey No. 2589, lot 17, 2.63 acres; latitude 56°24'00" N., longitude 132°20'30" W. (Homesite No. 745, Wrangell Group);

On the Sawmill Section of the Sitka Highway, approximately 6 miles southeast of Sitka where Sawmill Creek empties into Silver Bay; 4.56 acres; approximate latitude 57°03'00" N., longitude 135°13'00" W. (Homesite No. 704);

At the junction of South Tongass Highway and the Herring Bay Wood Road, 1.20 acres; approximate latitude 55°20'00" N., longitude 131°32'00" W. (Homesite No. 712.)

WARNER W. GARDNER,
Assistant Secretary of the Interior.

FEBRUARY 20, 1947.

[F. R. Doc. 47-1903; Filed, Feb. 23, 1947; 8:45 a. m.]

[1] For notice for filing objections to this order see F. R. Doc. 47-1907, Interior Department, Bureau of Land Management in Notices section, *infra*.

TITLE 48—TERRITORIES AND INSULAR POSSESSIONS

Chapter I—Division of Territories and Island Possessions, Department of the Interior

PART 21—GENERAL REGULATIONS APPLICABLE TO SALES OF SURPLUS PERSONAL PROPERTY

Part 21, General Regulations Applicable to Sales of Surplus Personal Property (11 F. R. 7192) is revoked as of February 23, 1947.

(R. S. 161; 5 U. S. C. 22; E. O. 9828, Feb. 21, 1947, 12 F. R. 1215)

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

FEBRUARY 21, 1947.

[F. R. Doc. 47-1904; Filed, Feb. 23, 1947; 8:45 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

STEAM RAILWAY ANNUAL REPORT FORM A

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 20th day of February A. D. 1947.

The matter of annual reports from steam railway companies and switching and terminal companies of Class I and Class II being under consideration:

It is ordered, That the order dated February 7, 1946, in the Matter of Annual Reports from Steam Railway Companies and Switching and Terminal Companies of Class I and Class II (49 CFR, 120.11) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1946, and subsequent years, as follows:

§ 120.11 *Form prescribed for large and medium steam railways.* All steam railway companies and switching and terminal companies of Class I and Class II subject to the provisions of section 20, Part I, of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1946, and for each succeeding year until further order in accordance with Annual Report Form A (Large and Medium Steam Roads and Switching and Terminal Companies), which is hereby approved and made a part of this order.[1] The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31, of the year following the one to which it relates. (24 Stat. 386, 34 Stat. 593, 35 Stat. 649, 36 Stat. 556, 41 Stat. 493, 54 Stat. 916; 49 U. S. C. 20 (1)–(8))

NOTE: The reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By the Commission, Division 1.

[SEAL] W P. BARTEL, *Secretary.*

[F. R. Doc. 47-1914; Filed, Feb. 28, 1947; 8:46 a. m.]

PART 120—ANNUAL, SPECIAL, OR PERIODICAL REPORTS

FILING OF CONSOLIDATED STATISTICAL STATEMENTS WAIVED

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 14th day of February A. D. 1947.

The matter of consolidated statistical statements to be filed by steam railway companies which have annual railway operating revenues of $10,000,000 or more, as required by order dated December 18, 1941, prescribing § 120.11a *Supplement to form prescribed for large and medium steam roads,* as amended by order dated August 31, 1942 (49 CFR, Cum. Supp., 7 F R. 226, 7180), being under consideration; and,

It appearing that, due to the backlog of work accumulated during the war period in the accounting departments of the interested carriers, the Accounting Division of the Association of American Railroads requested that the filing of such consolidated statistical statements be waived for the year ended December 31, 1946.

It is ordered, That the requirements of the order of December 18, 1941, as amended, relating to consolidated statistical statements are herby waived for the year ending December 31, 1946; and,

It is further ordered, That said order of December 18, 1941, as amended, shall in all other respects remain in full force and effect.

(24 Stat. 386, 34 Stat. 593, 35 Stat. 649, 36 Stat. 556, 41 Stat. 493, 54 Stat. 916; 49 U. S. C. 20 (1)–(8))

By the Commission, Division 1.

[SEAL] W P BARTEL, *Secretary.*

[F. R. Doc. 47-1913; Filed, Feb. 28, 1947; 8:46 a. m.]

NOTICES

TREASURY DEPARTMENT

Bureau of Customs

[T. D. 51636]

SOUTH ATLANTIC STEAMSHIP LINE, INC.

REGISTRATION OF HOUSE FLAG AND FUNNEL MARK

FEBRUARY 25, 1947.

House flag and funnel mark of South Atlantic Steamship Line, Inc., registered in accordance with § 3.81 (a), Customs Regulations of 1943.

The Commissioner of Customs, by virtue of the authority vested in him by section 7 of the Act of May 28, 1908 (U. S. C., title 46, sec. 49) as modified by section 102, Reorganization Plan No. 3 of 1946 (11 F. R. 7875) and in accordance with § 3.81 (a) of the Customs Regulations of 1943 (19 CFR 3.81 (a)) has registered the house flag and funnel mark of the South Atlantic Steamship Line, Inc., described below:

(a) *House flag.* The house flag is a triangular pennant having a white field. The hoist is 4 feet in height; the fly is 6 feet. Along the upper and lower sides of the pennant, there run yellow stripes 7 inches in width. Inside these stripes, there are blue stripes, which are also 7 inches in width, parallel with the yellow stripes.

(b) *Funnel mark.* The funnel mark is to appear on a funnel of a yellow color. The mark consists of a black band 3 feet in width at the top of the funnel, below which are a yellow band 4 feet in width, a blue band 2 feet in width, a white band 2 feet in width, and a blue band 2 feet in width.

Colored scale replica drawings of the house flag and of the funnel mark described above are on file with the Division of the Federal Register.

W. R. JOHNSON, *Commissioner of Customs.*

[F. R. Doc. 47-1916; Filed, Feb. 28, 1947; 8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50, Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order $221]

HENRY SCHNITTGER

In re: Estate of Henry Schnittger, deceased. File No. D-28-10384, E. T. sec. 14774.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ida Moneta, Lena Skeba, Wilhelm Schnittger and Meta Denef, and each of them, in and to the Estate of Henry Schnittger, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ida Moneta, Germany.
Lena Skeba, Germany.
Wilhelm Schnittger, Germany.
Meta Denef, Germany.

That such property is in the process of administration by Maria Schlosser, as administratrix of the Estate of Henry Schnittger, deceased, acting under the judicial supervision of the Surrogate's Court of Nassau County, New York;

And determined that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany),

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being

[1] Filed with the original document.

deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 17, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 47-1925; Filed, Feb. 28, 1947; 8:47 a. m.]

[Vesting Order CE 366]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NORTH DAKOTA, MONTANA, AND ILLINOIS COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interest in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on February 24, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Gjore O. Stadheim	Norway	Estate of Inga S. Rumbaugh, deceased, County Court of Adams County, N. Dak.	$4,000.00	Royal Norwegian Consulate, Minneapolis, Minn.	$21.00
		Item 2			
Jenny O. Stadheim	do	Same	4,000.00	do	21.00
		Item 3			
Mrs. Anna Bredke	do	Same	500.00	do	5.00
		Item 4			
Olaf O. Stadheim	do	Same	500.00	do	5.00
		Item 5			
Anna Elise Juul	do	Estate of Charles G. Johnson, deceased, in the District Court of Thirteenth Judicial District, Yellowstone County, Mont.; File No. 3299.	1,218.45	do	120.00
		Item 6			
Hjalmar Helman	do	Estate of Edward Helman, deceased, County Court of Milwaukee County, Wis.; File No. 234; 332.	877.33	Royal Norwegian Consulate, Chicago, Ill.	20.00
		Item 7			
Sons of Johan Helman, (names unknown) by his first marriage.	do	Same	877.33	do	20.00
		Item 8			
Aase Guldbrandsen	do	Estate of Gertrude Schjeldager, deceased, Probate Court of Cook County, Ill.; File No. 45-P-2573; 440; 155.	433.13	do	41.00
		Item 9			
Inger Margherete Larvik	do	Same	433.13	do	41.00

[F. R. Doc. 47-1933; Filed, Feb. 28, 1947; 8:48 a. m.]

[Vesting Order CE 364]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings,

costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on February 24, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Italo Caprani	Italy	Estate of Beniamino Caprani, deceased, in the Superior Court of the State of California, in and for the County of Alameda; No. 69580.	(1)	Bank of America, National Trust and Savings Association, 1200 Broadway, Oakland, Calif., Trustee.	$30.00
		Item 2			
Adele Podesta Salvi	do	Estate of Edgardo Podesta, also known as Edward Podesta, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 82726.	$2,631.39	Bank of America, National Trust and Savings Association, 300 Montgomery St., San Francisco, Calif., Executor.	18.00
		Item 3			
Esterina Podesta Gambuti	do	Same	2,631.39	Same	18.00
		Item 4			
Adriana Bruenn	do	In the Matter of the Guardianship of the Estates of Adriana Bruenn and Enrico Bruenn, Minors, in the Superior Court of the State of California, in and for the County of Alameda; No. 49104.	(2)	William A. Reeves, 1465 Fruitvale Ave., Oakland, Calif.	24.00
		Item 5			
Enrico Bruenn	do	Same	(2)	Same	24.00
		Item 6			
Miroba Nobili Davis	do	Estate of Clemente David, deceased, in the Superior Court of the State of California, in and for the County of Siskiyou; No. 3128.	(3)	Felix J. Kunz, Administrator, Fort Jones, Calif.	60.00
		Item 7			
Enrichetta di Ventura	do	Estate of Lorenzo Ventura, also known as Lawrence Ventura, also known as L. Ventura, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 89956.	1,156.48	Bank of America, National Trust and Savings Association, 300 Montgomery St., San Francisco, Calif., Executor.	13.00
		Item 8			
Giovanni de Ventura	do	Same	1,156.48	Same	13.00
		Item 9			
Dominic Laurenti	do	Estate of Giuseppe Laurenti, also known as G. Laurenti, also known as Joseph Laurenti, also known as J. Laurenti, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 84,837.	(4)	Same	26.00

[1] Income and principal of Trust u/w of Beniamino Caprani, deceased. [2] Approximately $236.00 and real property. [3] Approximately $930.85. [4] Approximately $2,630.80.

[F. R. Doc. 47-1931; Filed, Feb. 28, 1947; 8:48 a. m.]

[Bar Order No. 1]

DEBT CLAIMS

ORDER FIXING BAR DATE FOR FILING

In accordance with section 34 (b) of the Trading with the Enemy Act, as amended, and by virtue of the authority vested in the Attorney General by said act and Executive Order 9788, June 1, 1947, is hereby fixed as the date after which the filing of debt claims shall be barred in respect of debtors, any of whose property was vested in or transferred to the Alien Property Custodian or the Attorney General between December 18, 1941, and December 31, 1946, inclusive.

Forms to be used in filing claims and information concerning debtors may be obtained upon request made to the Office of Alien Property, Washington 25, D. C.

Executed at Washington, D. C., this 25th day of February 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 47-1937; Filed, Feb. 28, 1947; 8:49 a. m.]

[Vesting Order CE 365]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action of proceeding identified in Column 3 of said Exhibit A,

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meanings prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on February 24, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		Item 1	
Luigi Paiosa	Italy	Estate of Giuseppe Paiosa, also known as Joseph Paiosa, also known as Joe Paiosa, deceased, in the Superior Court of the State of California, in and for the County of Humboldt; No. 8341.	$11.00
		Item 2	
Benjamin Paiosa	do	Same	11.00
		Item 3	
Pietro Paiosa	do	Same	11.00
		Item 4	
Giovanni Paiosa	do	Same	11.00
		Item 5	
Marietta Tonossi	do	Estate of Giuseppe Tonossi, deceased, in the Superior Court of the State of California, in and for the County of Contra Costa; No. 11917.	14.00
		Item 6	
Giovanni Tonossi	do	Same	5.00
		Item 7	
Polonia Maccagno	do	Same	10.00
		Item 8	
Attilio Cantoni	do	Estate of Antonio Cantoni, deceased, in the Superior Court of the State of California, in and for the County of Santa Cruz; No. 10009.	19.00
		Item 9	
Gina Cantoni	do	Same	19.00
		Item 10	
Chiara Trabucco Sanguinetti	do	Estate of Ernest B. Sanguinetti, deceased, in the Superior Court of the State of California, in and for the County of San Joaquin; No. 18253.	37.00
		Item 11	
Maria Denegri	do	Same	5.00
		Item 12	
Messene Lenzi	do	Estate of Lorenzo Caprili, deceased, in the Superior Court of the State of California, in and for the City and County of San Francisco; No. 92172.	19.00
		Item 13	
Adreana Triglia	do	Same	19.00

[F. R. Doc. 47-1932; Filed, Feb. 28, 1947; 8:48 a. m.]

[Vesting Order 8222]

LOUISE SEGHORN

In re: Estate and trust under the Will of Louise Seghorn, deceased. File No. D-28-9611, E. T. sec. 13311.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Borchers Bischoff, Anna Siems, Heinrich Borchers, also known as Henrich Borchers, Eilert Borchers, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the issue, names unknown, of Anna Borchers Bischoff, the issue, names unknown, of Eilert Borchers, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate and trust under the will of Louise Seghorn, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

4. That such property is in the process of administration by The Howard Savings Institution, 768 Broad Street, Newark 1, New Jersey, and Christian Seghorn, Hight Street, Stirling, New Jersey, co-executors and co-trustees, acting under the judicial supervision of the Morris County Surrogate's Court, Morristown, New Jersey;

and it is hereby determined:

5. That to the extent that the above-named persons and the issue, names unknown, of Anna Borchers Bischoff, and the issue, names unknown, of Eilert Borchers, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 17, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director.*

[F. R. Doc. 47-1928; Filed, Feb. 28, 1947; 8:47 a. m.]

[Vesting Order CE 368]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interest in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on February 24, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director*

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Laura Saviano or Pulcidoria	Italy	Estate of Michele F. Saviano, also known as Michael Saviano, deceased, Surrogate's Court, Kings County, N. Y., Docket No. 1754-1944.	$3,500.00	Albert M. Yuzzolino, Executor, 270 Broadway, New York, N. Y.	$78.00
		Item 2			
Carlo Saviano or Pulcidoria	do	Same	3,500.00	Same	78.00
		Item 3			
Gabriela Saviano or Pulcidoria	do	Same	3,500.00	Same	78.00
		Item 4			
Marchesa Paola Pulcidoria	do	Same	1,500.00	Same	33.00
		Item 5			
Orphanage Ravetti (Orfanotrofio Ravetti).	do	Estate of Helen Antoinette, also known as Helen Antonette, deceased, Surrogate's Court, Nassau County, Mineola, N. Y.	1,000.00	Emile F. Antonette, Executor, 301 East 40th St., New York, N. Y.	33.00
		Item 6			
Lucia Campilii D'Amice	do	Estate of Domenico Campilii, deceased, Surrogate's Court, Orange County, N. Y.	2,794.24	Treasurer of the County of Orange, Goshen, N. Y.	41.00
		Item 7			
Antoinette Redes Caruso	do	Estate of Vincenzo Redesi, also known as Vincent Redesi, also known as Vincent Redes, deceased, Surrogate's Court, Queens County, N. Y., Docket No. 208-1945.	555.00	Antonio Redes, Administrator, 34-04 67th St., Woodside, Long Island, N. Y.	28.00
		Item 8			
Rosalie Redes	do	Same	555.00	Same	28.00
		Item 9			
Joseph De Benedetto	do	Estate of Annunzia De Benedetto, also known as Annunzia D'Agnello, deceased, Surrogate's Court, Queens County, N. Y., Docket No. P-3167-1944.	200.00	Michele Di Benedetto, Executor, 104-12 46th Ave., Corona, Long Island, N. Y.	10.00
		Item 10			
Mary De Benedetto	do	Same	200.00	Same	10.00
		Item 11			
Michelino De Benedetto	do	Same	328.00	Same	32.00

[F. R. Doc. 47-1935; Filed, Feb. 28, 1947; 8:48 a. m.]

[Vesting Order 8298]

CHUO FIRE AND ACCIDENT INSURANCE CO. LTD. AND MANNHEIM INSURANCE CO.

In Re: Rights and interests of Chuo Fire and Accident Insurance Company, Limited, and Mannheim Insurance Company under Final Decree of the United States District Court, Southern District of New York, in the matter of the petition of Kabushiki Kaisha Kawasaki Zosenjo et al., for limitation of liability.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mannheim Insurance Company is a corporation organized under the laws of Germany, having its principal place of business in Mannheim, Germany, and is a national of a designated enemy country (Germany),

2. That Chuo Fire and Accident Insurance Company, Limited, is a corporation organized under the laws of Japan, having its principal place of business in Tokyo, Japan, and is a national of a designated enemy country (Japan),

3. That the property described as follows: All rights and interests created in Chuo Fire and Accident Insurance Company, Limited, and Mannheim Insurance Company, and each of them, under and by virtue of a final decree of the United

States District Court, Southern District of New York, dated July 29, 1941, in the matter of The Petition of Kabushiki Kaisha Kawasaki Zosenjo, Owner, and Kawasaki Kisen Kabushiki Kaisha, Bareboat Charterer of the Steamship Venice Maru for Limitation of Liability under the Fire Statute of 1851 including, particularly, but not limited to, the rights to enter into stipulations as to amounts receivable under said final decree to receive such amounts and to enter satisfactions of judgment therefor,

is property within the United States owned or controlled by, payable or deliverable to held on behalf of or on account of or owing to, or which is evidence of ownership or control by, the aforesaid nationals of designated enemy countries (Japan and Germany), is an interest in a ship or vessel of the aforesaid nationals of designated enemy countries (Japan and Germany) and is property which is in libel proceedings and is payable or deliverable to, or claimed by, the aforesaid nationals of designated enemy countries (Japan and Germany);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, viz: (Germany) and (Japan);

And, having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, subject, however, to the liens of Bingham Englar, Jones & Houston, 90 John Street, New York 7, New York, against the amounts receivable by Chuo Fire & Accident Insurance Company Ltd and Mannheim Insurance Company under and by virtue of the decree identified in subparagraph 3 hereof such liens being in the sum of $1,159 42 against the amount so receivable by Chuo Fire & Accident Insurance Company, Ltd and in the sum of $251.89 against the amount so receivable by Mannheim Insurance Company, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended

Executed at Washington, D C, on February 26 1947

For the Attorney General

[SEAL] DONALD C COOK,
Director.

[F R. Doc 47-1929; Filed Feb 28 1947; 8:47 a m]

BAGPAK, INC

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return the following vested property on or after 30 days from the date of the publication hereof, less any authorized deductions:

Claimant	Claim No	Vesting order No	Property	Location
Bagpak, Inc, New York, N Y	A-119 and 120	201 (8 F R 625)	U. S. Letters Patent Nos 1,933,705 and 1,997,335	Washington, D C

Executed at Washington, D C, on February 24, 1947

For the Attorney General

[SEAL] DONALD C COOK,
Director

[F R Doc 47-1003; Filed, Feb 27, 1947; 8:46 a m]

[Return Order 4]

ARNOLD JANOWITZ ET AL

Having considered the claims set forth below and having approved the Vested Property Claims Committee's Determinations and Allowance with respect thereto, which are incorporated by reference herein and filed herewith,

It is ordered That the claimed property, described below and in the Determinations and Allowance, including all royalties accrued thereunder and all damages and profits recoverable for the past infringement thereof, be returned as follows after adequate provision for conservatory expenses:

Claimant and claim No	Notice of intention to return published—	Property
Arnold Janowitz, New York N Y Claim No A-201	11 F. R 14731, Dec 31, 1946	Property described in the first paragraph of Vesting Order No. 201 (8 F. R 625, Jan. 16, 1943), relating to U. S. Letters Patent No. 2,148,624, to the extent owned by claimant immediately prior to the vesting thereof.
Paul Nickelsberg, Springfield, Mass Claim No 4032	do	Property described in the first paragraph of Vesting Order No. 201 (8 F. R 625 Jan. 16, 1943), relating to U. S Letters Patent No. 2,200,305, to the extent owned by claimant immediately prior to the vesting thereof.
Franz Schatzky, New York, N Y Claim No A-322	do	Property described in the first paragraph of Vesting Order No. 201 (8 F. R 625, Jan. 16, 1943), relating to U. S. Letters Patent No. 2,070,763, to the extent owned by claimant immediately prior to the vesting thereof.
Arthur M. Sellgman, Newark N J. Claims Nos. A-292, A-293, A-294 A-299 A-300 and 5495	do	Property described in the first paragraph of Vesting Order No 201 (8 F. R. 625, Jan. 16, 1943), relating to U. S. Letters Patent Nos. 1,573 762, 1,674,110, 1,699 681 1,615,597, 1,870,265, 1,963,318, and 2,014 701, to the extent owned by claimant immediately prior to the vesting thereof.
Delamere Co., Inc., Jersey City, N J Claim No A-380	11 F. R 14732 Dec 31, 1946	Property described in the first paragraph of Vesting Order No. 201 (8 F. R. 625, Jan. 16, 1943), relating to U. S. Letters Patent No. 1 830,899, to the extent owned by claimant immediately prior to the vesting thereof.
Norbert Bernheimer, Waterville, Maine. Claim No A-313	do	Property described in the first paragraph of Vesting Order No. 201 (8 F. R 625, Jan. 16, 1943), relating to U. S Letters Patent No. 2,140,633, to the extent owned by claimant immediately prior to the vesting thereof.
Max Jacoby New York, N Y Claim No A-107	do	Property described in the first paragraph of Vesting Order No. 201 (8 F. R. 625 Jan. 16, 1943), relating to U. S. Letters Patent No. 2,231,689, to the extent owned by claimant immediately prior to the vesting thereof.
Inter Allied Patent Corp., New York, N Y Claim No A-223	12 F R 99 Jan 4, 1947	Property described in the first paragraph of Vesting Order No. 201 (8 F. R. 625, Jan. 16, 1943), relating to U. S Letters Patent No. 2,053,537, to the extent owned by claimant immediately prior to the vesting thereof

Appropriate documents and papers effectuating this order will issue

Executed at Washington, D C, on February 24, 1947

For the Attorney General

[SEAL] DONALD C COOK,
Director

[F R Doc 47-1936; Filed Feb 28, 1947; 8:48 a m]

INTERSTATE COMMERCE COMMISSION

[S O 668]

UNLOADING OF LUMBER AT PORTLAND, OREG

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D C, on the 25th day of February A D 1947

It appearing, that 9 cars, containing lumber, at Portland, Oreg, on the Northern Pacific Terminal Company of Oregon, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

(a) *Cars at Portland, Oreg, be unloaded* The Northern Pacific Terminal Company of Oregon, its agents or employees, shall unload immediately cars

WP 2349	SPS 32054
OBQ 91331	SPS 31786
SPS 32018	NYC 618960
PRR 358813	WP 2431
SOU 117036	

containing lumber, on hand at Portland, Oreg, consigned care of Lidell and Clarke, Inc

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., February 28, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911, 49 U. S. C. 1 (10)–(17), 15 (2))

By the Commission, Division 3.

[SEAL] W P BARTEL, *Secretary.*

[F. R. Doc. 47–1912; Filed, Feb. 28, 1947; 8:46 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[2092919]

MONTANA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

FEBRUARY 21, 1947.

Departmental Order approved June 21, 1946, revoked Departmental Order of February 28, 1946, insofar as it withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388) the lands hereinafter described within the Missouri River Project, Montana, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described.

At 10:00 a. m. on April 25, 1947, the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 26, 1947, to July 25, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279–283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from April 6, 1947, to April 25, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 26, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 26, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from July 6, 1947, to July 25, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 26, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Great Falls, Montana, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office at Great Falls, Montana.

The lands affected by this order are described as follows:

PRINCIPAL MERIDIAN

T. 8 N., R. 1 E.,
Sec. 2, W½SW¼.
T. 9 N., R. 1 E.,
Sec. 18, SW¼NE¼, NW¼, and S½;
Sec. 20, S½NE¼, NW¼NW¼, S½NW¼, and N½SW¼,
Sec. 34, NW¼NW¼.
T. 9 N., R. 1 W.,
Sec. 1, SW¼NE¼, S½NW¼, and SE¼.

The areas described aggregated 1,200 acres. The lands are generally rolling to hilly in character.

FRED W JOHNSON, *Director*

[F. R. Doc. 47–1909; Filed, Feb. 28, 1947; 8:45 a. m.]

ALASKA

NOTICE FOR FILING OBJECTIONS TO PUBLIC LAND ORDER 354[1] WITHDRAWING PUBLIC LANDS FOR THE USE OF ALASKA RAILROAD

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of Public Land Order 354, of February 19, 1947, withdrawing Block 20 including the 20-foot alley therein in Anchorage Town Site, Alaska, as shown on the plat of survey approved September 10, 1915 by the Commissioner of the General Land Office, may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

WARNER W GARDNER, *Assistant Secretary of the Interior*

FEBRUARY 19, 1947.

[F. R. Doc. 47–1907; Filed, Feb. 28, 1947; 8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket No. IT-6024]

FLORIDA POWER CORP.

ORDER POSTPONING HEARING

FEBRUARY 25, 1947.

Upon consideration of the petition for continuance filed on February 10, 1947, by Florida Power Corporation for a postponement of hearing in the above-entitled matter for a period of ninety (90) days from March 3, 1947; and

It appearing to the Commission that: Good cause has been shown for a postponement as hereinafter ordered;

[1] See Title 43, Appendix, *supra.*

The Commission orders that: The hearing in the above-entitled matter now set for March 3, 1947, be and the same is hereby postponed to May 6, 1947, at 10:00 a. m., in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

Date of issuance: February 25, 1947.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-1922; Filed, Feb. 28, 1947; 8:47 a. m.]

OFFICE OF TEMPORARY CONTROLS

Civilian Production Administration

[C-479]

JOSEPH E. BUEHLER

CONSENT ORDER

Joseph E. Buehler of Miami, Florida, is charged by the Civilian Production Administration with violation of Veterans' Housing Program Order No. 1 in that subsequent to March 26, 1946 and on or about September 22, 1946, he began construction of a one-story concrete block stucco structure located at 3022 N. W. 62d Street, Miami, Florida, size 30 ft. x 40 ft., to be used in the manufacturing of cigars, at an estimated cost of $8,500.00 which was afterwards enlarged and extended to include a two-story structure, size 36 ft. x 90 ft., with apartments located on the second floor thereof, and at an estimated cost for the whole structure as altered of approximately $21,742.27. The estimated cost of the original structure was within the $15,000.00 exemption for industrial structures used for manufacturing; however, after the estimated cost of said structure as altered and extended exceeded the exemption, construction thereof was carried on without authorization from the Civilian Production Administration, and until a stop violation telegram was dispatched to the contractor, Buell C. Rollins, on January 31, 1947. The sum of $14,745.00 was expended in materials and labor which was incorporated into said structure to and including January 31, 1947.

Joseph E. Buehler admits the violation as charged and does not desire to contest the same and has consented to the issuance of this order. Joseph E. Buehler asserts, however, that the violation which he admits was not wilful or intentional.

Wherefore, upon the agreement and consent of Joseph E. Buehler, the Regional Compliance Director and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Neither Joseph E. Buehler, his successors and assigns, nor any other person shall do any further construction on the premises herein described or any part thereof located at 3022 N. W 62d Street, Miami, Florida, including the putting up, completing or altering of any structure located on said premises except or unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) The issuance of this consent order shall be without prejudice to the consideration on its merits of application for authorization to complete construction of the structures covered by this order.

(c) Joseph E. Buehler shall refer to this order in any application or appeal which he may file with the Civilian Production Administration.

(d) Nothing contained in this order shall be deemed to relieve Joseph E. Buehler, his successors and assigns from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 28th day of February 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-1933; Filed, Feb. 28, 1947; 11:16 a. m.]

[C-481]

WILLIE E. PARNELL

CONSENT ORDER

Willie E. Parnell, doing business as Parnells Restaurant, Mayport, Florida, is charged by the Civilian Production Administration with violation of Veterans' Housing Program Order No. 1, as issued and amended by the Civilian Production Administration, in that subsequent to March 26, 1946, and on or about November 30, 1946, he began and carried on the construction of a commercial building to be used as a restaurant located at the corner of Ocean and Henry Streets, Mayport, Florida, at an estimated cost of $6,000.00 without the same having been authorized by the Civilian Production Administration. Construction of said building was begun and carried on until January 15, at which time the matter was investigated by a Compliance Investigator of the Civilian Production Administration, and on said date there had been incorporated into said building, material and labor in the approximate sum of $4,400. On February 20, 1947, a hearing was had in said case before a Compliance Commissioner of the Civilian Production Administration, which was upon charges contained in a charging letter dispatched to Willie E. Parnell on February 14, 1947.

Willie E. Parnell admits the violation as charged and does not desire to contest the same and has consented to the issuance of this order. Willie E. Parnell asserts, however, that the violation which he admits was not wilful or deliberate.

Wherefore, upon the agreement and consent of Willie E. Parnell, the Regional Compliance Director, and the Regional Compliance Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Neither Willie E. Parnell, his successors or assigns, nor any other person, shall do any further construction on the premises herein described or any part thereof located at the corner of Ocean and Henry Streets, Mayport, Florida, including the putting up, completing or altering of any structure located on said premises, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(b) The issuance of this consent order shall be without prejudice to the consideration on its merits of application for authorization to complete construction of the structure covered by this order.

(c) Willie E. Parnell shall refer to this order in any application or appeal which he may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

(d) Nothing contained in this order shall be deemed to relieve Willie E. Parnell, his successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 28th day of February 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-1934; Filed, Feb. 28, 1947; 11:16 a. m.]

[C-482]

ACE LUMBER & SUPPLY CO., INC.

CONSENT ORDER

Ace Lumber & Supply Co., Inc., a New York corporation with its principal office and place of business at 32-02 Astoria Boulevard, Long Island City (2), New York, is engaged in the business as a lumber distributor, among other things. It is charged by the Civilian Production Administration, with violating Direction 1 to Priorities Regulation 33 and Priorities Regulations 1 and 3 in that as a lumber distributor it placed certified orders for delivery of housing construction lumber during the periods February 1 to April 30, and June 1 to September 30, 1946, inclusive, for amounts in excess of the amounts authorized and in that it failed to keep and preserve accurate and complete records of the details of its transactions and its inventories of the materials to which the rules, regulations and orders of the Civilian Production Administration apply. Ace Lumber & Supply Co., Inc., admits the violations as charged, does not desire to contest the same, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Ace Lumber & Supply Co., Inc., the Regional Compliance Director, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Until the 31st day of March, 1947, Ace Lumber & Supply Co., Inc., its successors and assigns, shall not place or apply or extend an HH rating on orders for delivery during the first quarter of 1947 of housing construction lumber.

(b) Until the 31st day of March, 1947, Ace Lumber & Supply Co., Inc., its successors and assigns, shall sell or deliver housing construction lumber, to the extent of 125,000 board feet, only on rated orders accepted by it for delivery in the first quarter of 1947. Ace Lumber & Supply Co., Inc., represents that it has an inventory at present of 125,000 board feet of housing construction lumber. It is agreed that Ace Lumber & Supply Co., Inc., placed certified orders in excess of the amount authorized, for 176,954 board feet of housing construction lumber.

(c) Ace Lumber & Supply Co., Inc., its successors and assigns, shall keep and preserve accurate and complete records of the details of each transaction to which Limitation Order L-359 and other rules, regulations and orders of the Civilian Production Administration apply, as required by § 944.15 of Priorities Regulation 1.

(d) Nothing contained in this order shall be deemed to relieve Ace Lumber & Supply Co., Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 28th day of February 1947.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-1995; Filed, Feb. 28, 1947; 11:16 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-975]

SCRANTON ELECTRIC CO.

FINDINGS AND ORDER GRANTING UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of February A. D. 1947.

In the matter of application by the Philadelphia Stock Exchange for unlisted trading privileges in Scranton Electric Company, common stock, $5.00 par value.

The Philadelphia Stock Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the $5.00 Par Value Common Stock of Scranton Electric Company.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application makes the following findings:

(1) That this security is listed and registered on the New York Stock Exchange; that out of a total of 1,214,000 shares outstanding, members of the Philadelphia Stock Exchange held 80,960 shares of this security on December 31, 1946 for 815 different shareholders, and that in the vicinity of this Exchange there were 5,577 transactions involving 628,231 shares from April 1, 1946 to December 31, 1946;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Philadelphia Stock Exchange for permission to extend unlisted trading privileges to the $5.00 Par Value Common Stock of Scranton Electric Company be, and the same is, hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-1910; Filed, Feb. 28, 1947; 8:46 a. m.]

[File No. 70-1433]

DALLAS POWER & LIGHT CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 24th day of February A. D. 1947.

Notice is hereby given that a declaration and amendment thereto have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Dallas Power & Light Company ("Dallas") an electric utility subsidiary of Texas Utilities Company, a registered holding company subsidiary of American Power & Light Company, a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company. Declarant designates sections 6 (a) (2) and 7 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than March 3, 1947 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after March 3, 1947, said declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration as amended which is in file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Dallas proposes to amend its charter in the following respects: (1) to provide for a dividend restriction on common stock whereby not more than 75% of the earnings available to the common stock may be paid out as dividends thereon when the ratio of common stock equity to total capitalization is between 20% and 25% of total capitalization, and not more than 50% of such earnings may be paid out as dividends when the ratio of common stock equity to total capitalization falls below 20%, (2) to grant holders of common stock preemptive rights with respect to any offering of common stock or any security convertible into common stock for money, other than by a public offering of such shares; (3) to provide that the consideration received for the issuance and sale of additional common stock without nominal or par value be entered in the capital stock account; (4) to increase the authorized common stock from 273,000 shares without nominal or par value to 2,500,000 shares without nominal or par value; and (5) to expressly confer on the company or its Board of Directors certain additional powers with respect to the borrowing of money, mortgaging of the company's property and purchase and sale of its own securities.

The declaration requests that the Commission's order permitting the declaration herein as amended to become effective be issued as promptly as may be practicable and that it shall be effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-1911; Filed, Feb. 28, 1947; 8:46 a. m.]